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HENRY VIII.

In Historical Sketch,

AS AFFECTING

THE REFORMATION IN ENGLAND.

BY

CHARLES HASTINGS COLLETTE.

"Stand forth; and with a bold spirit relate what you,
Most like a careful subject, have collected."

Henry VIII. Act I. Scene I.

LONDON:

W. H. ALLEN & CO., 13, WATERLOO PLACE.

1864.

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200 x 31.



PREFACE.

“And now,
While it is hot, I'll put it to the issue.”
Henry VIII. Act i. Scene i.

HE was a bold man indeed—*Ille robur et
æstrix triplex circa pectus erat*—who first
undertook to vindicate HENRY VIII. from the
aspersions which have been cast on his cha-
racter, and appear to be inseparably connected
with his name. The example having been
nobly set by, among others, Mr. FROUDE, I
may be permitted to follow in his steps, in
compiling and arranging a few facts connected
with the History, if not of the greatest
Monarch England can boast of, yet, certainly,
connected with the most important period of
her History, which resulted in the REFORMA-
TION, and the emancipation of these realms,
as well from the delusions and superstitions

of a corrupted religion, as from the despotism and exactions of a foreign Priesthood.

The substance of the following "Sketch" was originally delivered as a lecture, early in the spring of 1862, before I had had the advantage of reading Mr. FROUDE's admirable HISTORY OF ENGLAND. I have since extended my matter, and a perusal of his volumes has confirmed my arguments.

The greater part of these sheets had already passed through the press before the publication of the "Kimbolton Papers."

The publication of the Letter in the possession of the EMPRESS EUGENIE professes to establish the fact that the marriage between ARTHUR PRINCE OF WALES and CATHERINE OF ARRAGON was completed in the eye of the law.

The facts seem to have been well known to the parents of CATHERINE. This is evident from the marriage contract itself, executed in June, 1503, part of which is given in the DUKE OF MANCHESTER's book as follows:—

“Ferdinand and Isabel, as well as Henry [VII.], promise to employ all their influence with the Court of Rome, in order to obtain the dispensation of the Pope, necessary for the marriage of the Princess Catherine with Henry, Prince of Wales. The Papal dispensation is required because the said Princess Catherine had, on a former occasion, contracted a marriage with the late Prince Arthur, brother of the present Prince of Wales, whereby she became related to Henry, Prince of Wales, in the first degree of affinity, and because her marriage with Prince Arthur was solemnized according to the rites of the Catholic Church, *and afterwards consummated.*”*

On comparing this document with the Pope’s Bull of license for the second marriage (p. 19), and his subsequent written consent to their separation (p. 34), it becomes very

* “Court and Society from Elizabeth to Anne.” Edited from the Papers at Kimbolton. London, 1864, p. 62 ; and see p. 60.

clear that all the circumstances of the first marriage with Arthur were fully made known to the Pope.

The consequence of this fact being established, would be, that the second marriage with HENRY was illegal and void, and the issue of that second marriage was, in consequence, illegitimate. This was the pivot upon which all the subsequent complications turned. This supposed additional confirmation is satisfactory as far as it goes ; but the fact, one way or the other, does not affect the question,—the point of view in which I have regarded the subject, as affecting the Reformation in England. If the first marriage was complete, the Pope could not legally set aside what was believed to be, and accepted as the law of God ; but if the first marriage was not consummated, then no dispensation was necessary for the second marriage. The Pope, however, virtually dealt with the matter as if the first marriage were completed (p. 19). As I have shown,

throughout the whole of the subsequent proceedings, the first marriage was treated as complete, otherwise the objection raised by the Bishop of Tarbes, on the proposed marriage of MARY, the daughter of HENRY and CATHERINE, with the DUKE OF ORLEANS, that MARY was illegitimate, and could not therefore inherit the Crown, and the reiterated opinions of lawyers and divines throughout Europe, would have been not only unnecessary, but based on erroneous assumptions, which we can hardly conceive to have been the case of an event which must have been then notorious. The first marriage was, at that time, treated as complete in law. It was evidently to the interest of those who were immediately affected by the change, and to HENRY's detractors (the Papal party), to attempt to establish the contrary. The assertions of CATHERINE herself cannot be accepted as evidence; and in the face of the sanction given by the POPE for the marriage, first between HENRY and

CATHERINE, and then between HENRY and ANNE BOLEYN, our Roman Catholic brethren should be the last to inveigh against HENRY and the Reformation which followed.

It is to this view of the subject, alone, my "Sketch" is intended to apply. Any attempt to vindicate HENRY's proceedings, on political grounds, would be inconsistent with such views; but it is a very strong fact to dwell upon in vindication of HENRY and his matrimonial alliances, that the want of a legal heir to the throne of England was the groundwork or chief source of the complications during the reigns of HENRY, EDWARD, MARY, and ELIZABETH. The want of a direct heir to the throne created the deepest anxiety.

It was this one question which compelled HENRY to pass through a matrimonial *series* unparalleled in history, but which had no bearing whatever on the popular version given to this phase of HENRY's career and character.

The reader will perceive that I have fol-

lowed the language of all the legal documents in treating the contract of marriage between HENRY and CATHERINE, of June, 1503, *as a marriage*. A contract of this nature was considered as binding during the lifetime of both contracting parties, as a complete marriage at the present day, and its existence was a bar to a subsequent marriage by either party. HENRY was then twelve years old. The affections had no part in the proceeding; indeed it was seriously proposed that CATHERINE should marry HENRY VII. "Upon order," the marriage with PRINCE HENRY took place; "upon order," the marriage contract was annulled on his coming of age; and equally on public grounds, he consented to re-marry CATHERINE on his coming to the throne. The separation of HENRY from CATHERINE, and his marriage with ANNE BOLEYN, has hitherto afforded the opponents of the Reformation fruitful themes for invective; but I venture to assert that the King came out of the ordeal with greater

credit than the POPE of Rome. Whether I can bring the reader to adopt my views with regard to the tragic fate of FISHER and MORE, or the unhappy circumstances of Henry's several marriages, may be questioned ; but I feel persuaded that the sympathies of all honest men will be enlisted for the English nation, then suffering from the extortions and degradation it had undergone for a series of years, and that credit, at least, will be given to HENRY for having freed his country from the galling "yoke of bondage."

The history of the reign of HENRY is now only beginning to be understood, and his character appreciated. But, in whatever light the subject may be viewed, we, as Englishmen, should ever remember with grateful and thankful hearts, that our liberties are due to HENRY VIII., who, with a fearless determination, braved the thunders of the Vatican.

The subject of this "Sketch" may be somewhat novel to many. To them it will open

new views and a new field for further examination. Others have prejudged the case, guided principally by religious prejudices, deriving their information from "popular tradition." These, probably, will still retain their early prejudices, and will not give themselves the trouble to investigate further. While others, again, who have had greater advantages and opportunities for studying the subject than myself, may perhaps see nothing in my pages to lead them to alter their opinions. But all will, I trust, admit that the subject is a fair one for rational discussion. If my arguments have in the estimation of some proved weak, and my matter superficial, I would remind them that I did not contemplate anything more than a "Sketch." The critic will have, therefore, plenty of matter wherewith to instruct the reading public. Being satisfied of this, that truth must ultimately prevail, on whichever side it may be found, I invite only an impartial and patient hearing.

In an APPENDIX I have added a translation of the BULL issued by Pope PAUL III. against HENRY VIII. which was suspended for two years; also a translation of "the sentence" putting the BULL into execution. I believe this to be the first and only complete translation offered to the English reader.

C. H. COLLETTE.

57, LINCOLN'S INN FIELDS,

February, 1864.

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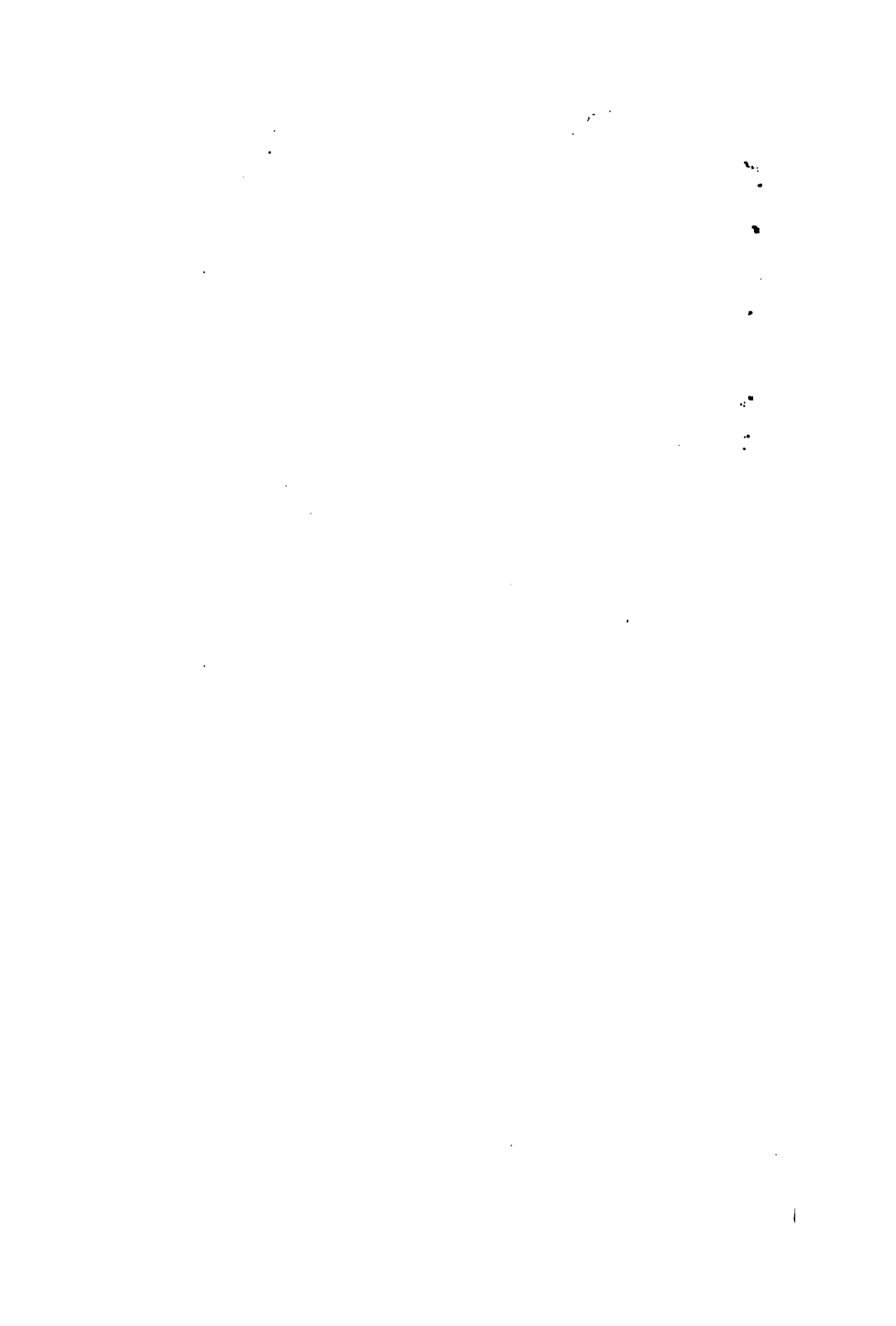
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HENRY VIII.

CHAPTER I.

THE CASE STATED.

"At what ease

Might corrupt minds procure knaves as corrupt
To swear against you? Such things have been done.
You are potently opposed, and with a malice
Of as great size."—*Henry VIII. Act v. Scene i.*

"If your will pass,

I shall both find your lordship judge and juror,
You are so merciful."—*Henry VIII. Act v. Scene ii.*

THE period when the events we are about to consider occurred is, or ought to be, most interesting to every Englishman. It was the period when Germany was entering on the Reformation, an example quickly followed by England. Christians were beginning to throw off the yoke of the Papacy, emancipating themselves from the spiritual bondage of the priesthood—from priest rule—from a degrading despotism—a spiritual despotism,

more intolerable than any military despotism that ever existed. Yet, perhaps, there is no period in British history which has been so much misrepresented, especially as regards the motives and conduct of the chief characters in it, Henry VIII. and his Chancellor, Archbishop Cranmer.

To come at once to our subject—the marriage of Henry VIII. with Catherine of Arragon,—his divorce,—his second marriage with Anne Boleyn,—the part Cranmer took in these transactions,—and the unfair use that has been made of these incidents to vilify the Reformation and the Church of England, by aspersing the character of Henry VIII., the alleged founder of the latter, in this country, and the promoter of the former. It is the object of the present sketch to remove, if possible, from the minds of our readers, such preconceived notions as they may have entertained, relating to the events we are about to consider.

Take ninety-nine people out of any hundred and ask their impression of the history of these events, and the chances are that those ninety-nine will tell you that, even at this early

stage of Henry's career, he was a monster in his appetites and passions; that, after twenty years of married life with Catherine, his first wife, he suddenly fell in love, and carried on an illicit intercourse with Anne Boleyn, one of the Queen's maids of honour (some have gone so far as to insinuate that Anne was Henry's own daughter); that he applied to the Pope of Rome for a divorce, who peremptorily refused his sanction; that Henry could not restrain his passion, and, with the aid of Cranmer, obtained in England a declaration of divorce, rewarding Cranmer for his services by making him Archbishop of Canterbury; that he then became Protestant, threw off the supremacy of the Pope of Rome, assumed the direction or headship of all ecclesiastical matters, and thus introduced the Reformation, and became founder of the Protestant Church in England; and that the Pope issued his Bull of Excommunication against the heretic Henry, as a punishment for past disobedience, and as an expression of his displeasure.


There is scarcely a Roman Catholic but will take this view of Henry's conduct, and tauntingly tell us that this is the origin of the

Protestant Church of England. Almost all popular and compendious histories give this version. Take, for instance, the most popular, — Ince's "Outlines of English History," edited by a Roman Catholic publisher. In stating the importance and popularity of this little history, we quote the following from the cover of the edition of 1856 :—

"In consequence of the rapidly extended approval of this work, every page has again been very much enlarged and improved. The present impression of 6,000 copies brings the sale up to 108,000. This unprecedented recognition of its merits has prompted the proprietor still further to perfect the work, by extending the description, &c.

"It is a gratifying fact to add, that this is the only book appointed by the Educational branch of the Society of Arts (H. R. H. Prince Albert, President) as *tests for their examination* of the prize students on the subject of English History. It is now, also, under the sanction of Her Majesty's Committee of Council on Education."

No book ever came before the student with a better recommendation.



In page 62 we read,—

“1. Catherine of Arragon, widow of his brother Arthur. After this marriage had lasted eighteen years the King, in 1533, induced Cranmer, who was afterwards *made by him* Archbishop of Canterbury, to hold a *sort of tribunal*, in order to decide the marriage with Catherine to be illegal, and her daughter Mary illegitimate; and that Anne Boleyn, to whom he had previously been married, was the lawful queen.

“2. Anne Boleyn, privately married to Henry during the life of Catherine, as related above. She was crowned Queen three days after Cranmer had pronounced sentence.”

Again, in page 64—

“Henry, as the second son of his father, had been educated for the Church; and retaining as he did a taste for theological discussion, he opposed Luther, by writing a work against his doctrines. For this service the Pope [Leo X.] conferred on him the title of ‘Defender of the Faith.’

“Henry, however, did not long retain the favour of the Pontiff. Having become enamoured of Anne Boleyn, and wishing to have

his marriage with Catherine of Arragon annulled, he applied to his Holiness to decree his long-established marriage unlawful, because the Queen had been previously his brother's wife. *The Pope refusing to do so*, because the previous marriage had been only nominal, Henry shook off his allegiance, and succeeded in getting his Parliament to acknowledge him as the supreme head of the '*Reformed English Church.*' *Subsequently*, by the aid of Cranmer, he divorced himself from Catherine, and married Anne Boleyn, in 1533." *

The next book from which we desire to quote, is Dr. Milner's "End of Religious Controversy," of which Charles Butler, Esq., an eminent Lay Roman Catholic, said, that it was—

"The ablest exposition of the doctrines of the Roman Catholic Church, on the articles contested with her by Protestants, and the

* These additions to Ince's History have been made by a pervert clergyman of the Church of England to Rome, but since returned. The book has been completely Romanised. Through the untiring energies of the "Protestant Alliance" this book was removed from both of the lists named on the cover, and is no longer under the patronage stated.

ablest statement of the proofs by which they are supported, and of the *historical* facts with which they are connected that has appeared in our language." *

Dr. Milner says,†—

"Becoming enamoured of Anne Boleyn, one of the maids of honour to the Queen, and the reigning Pope refusing to sanction an adulterous marriage with her, he caused a statute to be passed, abrogating the Pope's supremacy, and declaring himself the supreme head of the Church in England. Thus he plunged the nation into schism, and opened a way for every kind of heresy and impiety. *In short, nothing is more evident than that the King's inordinate passion, and not the word of God, was the rule followed in this first important change of our national religion.*"

And again,‡—

"Such was Henry's doctrine, until, becoming enamoured of the Queen's maid of honour, Anne Boleyn, and finding the Pope *conscientiously* inflexible in refusing to grant him a

* "Book of the Roman Catholic Church," p. 10.

† Letter VIII. p. 106. Derby, stereotype edit. 12mo.

‡ Letter XLVI. p. 445.—*Ibid.*

divorce from the former, and to sanction an adulterous connection with the latter, he set himself up as supreme head of the Church of England; and maintained his claim by the arguments of halters, knives, and axes."

Again, in a small French book, professedly written by an English lady converted to Romanism (but in fact by a priest), giving her reasons for embracing the Roman religion, it is said for her—*

* "Quant à Henri VIII., ce roi fut d'abord si chrétien, qu'il écrivit dans le commencement de son règne, pour défendre l'Église contre l'erreur naissante de Luther, et qu'il mérita, par sa fidélité et sa ferveur dans la foi catholique, le titre glorieux que lui donna le pape, de défenseur de la foi. Ce même Henri VIII. après avoir vainement essayé d'obtenir du pape, pour épouser sa concubine Anna Boleyn, le consentement à son divorce avec Catherine d'Aragon, sa femme légitime, dont il avait été l'époux pendant dix-huit ans, abjura la religion de ses pères, et adopta l'erreur pour se trouver libre de se livrer à ses passions criminelles. Il imposa, par la force et l'injustice, sa nouvelle croyance à tout son peuple, et l'Angleterre, qui jusque-là avait mérité le beau surnom de l'île des Saints, devint le foyer de l'erreur et de l'hérésie. . . . Croyez-vous, madame, avoir plus d'esprit que tous les chrétiens des siècles passés? Et, lorsque je vous demande de revenir à la vérité et à la foi catholique, qui ont donné de si grands saints à votre patrie, trouvez-vous encore que je vous fais changer de religion? Vous voyez bien, au

“ ‘As to Henry VIII., this king was first so Christian, that he wrote at the commencement of his reign to defend the Church against the nascent errors of Luther; and merited, by his fidelity and his fervour for the Catholic faith, the glorious title of ‘Defender of the Faith,’ which the Pope gave him. This same Henry VIII., after having *vainly attempted* to obtain from the Pope his consent to a divorce from Catherine of Arragon, his legitimate wife, whose husband he was for eighteen years, that he might marry his concubine, Anne Boleyn, abjured the religion of his fathers, adopted a false one, the more readily to indulge himself in his criminal passions. He imposed, by force and injustice, his new belief on all his people, and England, which up to that time merited the beautiful surname of Isle of Saints, became the home of error and heresy.’

contraire, que je veux vous fair revenir à la religion de vos pères.’

“ Cette dernière pensée me terrassa ! Comment se faisait-il que mon attention n’eût jamais été attirée sur ce fait historique, vérité foudroyante contre le protestantisme, et si convaincante en faveur de la foi catholique ? ” — *La Chrétienne de nos Jours*, pp. 15, 16. Paris, 1861.

“ This last thought she declared overcame her. ‘ How,’ she exclaimed, ‘ was it that my attention was never drawn to these historical facts—blasting evidence against Protestantism, and so convincing in favour of the Catholic faith ? ’ ”

To take another sample. A Roman Catholic Priest,* the Rev. Paul Maclachlan, formerly of Falkirk but now of Stirling, gives the popular Romish version of these transactions in a most compendious form :—

“ Protestantism, as every one knows, was first introduced into England by Henry VIII. From the time of its conversion to Christianity to the reign of this monarch—that is, for nearly one thousand years—this noble country had professed Christianity. He found it necessary, in order to indulge his lusts and enjoy the society of an adulterous lady, supposed by many to be his own daughter, to discard the old religion, *which would not tolerate such a scandal*, and frame a more accommodating creed. It occurred to him that he

* The Rev. Paul Maclachlan, in his “ Controversial Correspondence with R. W. Kennard, Esq.” London, 1855. Letter xiv. p. 202.

might be permitted, if not to indulge in a plurality of wives, at least to exchange an older for a younger companion. The Sovereign Pontiff, to whom his suit to this effect was preferred, *would not consent* to such a violation of the Gospel morality. Accused as the popes have often been of granting unlawful requests, they showed themselves on this trying occasion less complaisant than the man who disturbed the peace of Europe and shook Christianity to its centre, under pretence of reforming abuses connected with papal indulgences. Henry, baffled by the *incorruptible virtue of Rome*, rejected the authority of the Pope, and declared himself supreme head both of Church and State. Of course, he wished his subjects to acknowledge him in this latter capacity; and accordingly he made the denial of his supremacy in spirituals a capital crime, which death alone could expiate.—I cannot here enter into minute particulars, nor detail the measures of oppression and cruelty adopted by the tyrant to secure the success of his nefarious projects. Like the continental Reformers, he slew his opponents, and plundered their property; one rich monastery after

another fell into his avaricious grasp. Not content with *beheading several of his wives*, he sent to the scaffold some of the most virtuous and eminent men in his kingdom, such as Sir Thomas More, and Fisher, Bishop of Rochester, for the sole crime of *adhering to the current creed* and the spiritual supremacy of Rome."

Again, with reference to Cranmer, Keenan, in his well-known "Controversial Catechism," says,*—

"He was chief adviser to Henry VIII., the greatest monster that ever disgraced Christianity, in all the sacrileges and murders he committed; his name should be everlastingly execrated. The cold-blooded, perfidious, impious, blasphemous caitiff expired amidst the flames he himself kindled.

"Knowing that the King was already married to Anne Boleyn, and that the intercourse between them was incestuous† and adulterous,

* "Keenan's Controversial Catechism," p. 23. 12th edit. London, 1854.

† This expression refers to the slanderous libel propagated by the Jesuit writer, Sanders, that Anne Boleyn was Henry's daughter. The deep malice of the enemies of the Established Church in England in particular, and of Pro-

he, with matchless hypocrisy and impudence as head of the Church, pronounced a divorce against the lawful wife, Queen Catherine ; and thus, for the good of the King's soul, permitted him to live on in the most abandoned state."

And, lastly, Cobbett, in his so-called " History of the Reformation,"* says,—

"That there was no valid objection to the marriage with Catherine. After seventeen years' marriage he, all of a sudden, affected that he was living in sin, because he was married to his brother's widow.—He resolved to gratify his beastly lust, cost what it might. —First, he applied to the Pope for a divorce, which the Pope *could not, and did not, grant*. —The tyrant became furious, and resolved upon overthrowing the power of the Pope in England, and make himself head of the

testantism in general, overreach themselves. Anne was born in 1511. Henry was reunited to Catherine in 1509. Independently of the fact that not one breath of calumny was uttered against Henry's early career until it was found necessary to *make a case*, it has been incontestably established that the circumstances of residence made the charge impossible.

* Letter II. §§ 60, 61.

Church in this country; and upon doing whatever else might be necessary to insure the gratification of his beastly desires and the gluttony of his vengeance.—The *first* step was to pass an Act, taking from the Pope all authority and power over the Church in England; and giving to the King all authority whatever, as to ecclesiastical matters. His chief adviser was Thomas Cranmer.”

After well abusing Cranmer, he says,—“The tyrant being now both Pope and King, made Cranmer Archbishop of Canterbury; a dignity just then become vacant;” and he throws on Cranmer the whole responsibility of the divorce and re-marriage. The language of Cobbett is too coarse to repeat.

The executions of Bishop Fisher and Sir Thomas More are dwelt upon, by all these party writers as evidence of Henry’s relentless cruelty. His six wives is a fruitful theme to sharpen the edge of their invectives. The dissolution of the monasteries and the confiscation of their lands are dwelt upon as proofs of his injustice and rapacity; the general allegation being that Henry, to fill his coffers, deliberately plundered the monasteries

and confiscated all Church property, and divided the spoils with his nobles and abettors. The "Catholic Church" in this country, they tell us, was thus wantonly deprived of her lawful possessions; or, as Cobbett adds, "these institutions were devastated and destroyed by base crimes and bloody means."

The moral of the tale is thus curtly and *elegantly* summed up by this same veracious Mr. Cobbett:—

"The Reformation, as it is called, was engendered in beastly lust, brought forth in hypocrisy and perfidy, and cherished and fed by plunder, devastation, and by rivers of innocent blood."*

This, then, is the popular statement of the case which we propose to consider in the sequel. We have to combat popular tradition, popular prejudice, popular romancers; and, more than all, an instinctive and honest repugnance to an alleged cruel persecutor, universally represented as having been abandoned to sensual gratifications.

* "History of the Reformation." Introduction. Letter i. § 4.

CHAPTER II.

HENRY VIII., CATHERINE, ANNE BOLEYN, THE
POPE, AND CRANMER.

"But that slander, Sir,—grows again
Fresher than e'er it was ; and held for certain."

Henry VIII. Act ii. Scene i.

WE propose, first, to consider the circumstances connected with Henry's first marriage with Catherine of Arragon, his divorce, and second marriage with Anne Boleyn, and the parts which the Pope and Cranmer respectively took in these events ; our object being to dispel some of the popular delusions entertained by a large class of persons, who have hitherto been contented to accept traditional impressions, without taking the trouble of inquiring as to their origin or truthfulness.

We believe these popular impressions agree in the main with the details set forth in "The Case Stated," and we entreat the uninformed reader's patience whilst he wades through a series of dry facts and dates.

Henry VII. of England had two sons; Arthur and Henry.

In November, 1501, Prince Arthur married Catherine, of the illustrious House of Arragon, and aunt of the Emperor Charles V., the most powerful prince of Europe, of the time. A large dowry was brought into the country by this marriage, but the political importance of the union was of still greater consequence to the nation.

Early in April, 1502, Prince Arthur died. In December, 1503, Prince Henry, afterwards Henry VIII., being still a minor, and very young, married his brother's widow; the political and pecuniary considerations operated also in effecting this second union with the house of Arragon.

This second marriage was illegal according to canon law, and was opposed by many cardinals and divines. Notwithstanding, Pope Julius II. granted to Prince Henry a dispensation, by Bull, to marry his brother's widow. This Bull* was reluctantly granted by the Pope, and still more reluctantly accepted

* Minute of a brief of Julius II., dated 13th March, 1504.

by the English clergy. The interest of the Papacy was paramount. The Bull "dispensed with the impediment of their affinity, notwithstanding any apostolical constitution to the contrary." The Pope permitted them to marry, or, if they were already married, he confirmed it, requiring their confessor "to enjoin them some healthy penance for their having married before the dispensation was obtained." It was on this authority that Prince Henry married Catherine when under age.

"In these instructions [observes Collier] the impediments of affinity, the objections of Catherine's cohabitation with Arthur, the supposition of her being already married to Prince Henry, are all overruled and dispensed with. For, though there was no matter of fact to rest the last case upon, yet the court of Rome was resolved to make all sure."*

Modern apologists have sought to exculpate, or excuse the Pope, by declaring that Catherine's first marriage was not consummated, and that, therefore, the Pope acted as if no lawful

* Collier's Eccl. Hist., vol. ii. pt. ii. bk i. London, 1714.

prior marriage existed. This is a fallacy. Were it necessary or seemly, we might give pretty substantial proofs that these modern apologists are deceived on this head,—but the fact either way does not affect the question, in the light they desire to place it, to shield the Pope. The Pope was not influenced by any such consideration one way or the other, for, in his Bull of License, he actually refers to the fact as probable.*

The first false step was taken by the Pope. Had he remained firm to the acknowledged principles of the church of which he claimed to be the head, Henry would not have had the courage to marry Catherine, and the consequences of that marriage, humanly speaking, would not have followed. The Pope swerved first from the right path, and gave a dispensation to Henry to do an illegal act.

If the act was in itself forbidden and illegal, how could it be made legal by the act of the

* “——Carnali copula forsan consummavissetis, Dominus Arthurus prole ex hujusmodi matrimonio non suscepta decessit.”—Cott.[Lib., Vitel., b. xii. cited by Burnet, *Hist. of Reformation*, Records, bk. ii. vol. iv. p. 5. Nares's edit., London, 1830.

Pope? The marriage was believed to be contrary to the law of God, certainly contrary to the canon law as well as to the law of the Church of Rome, established by decrees of councils. The law of the Church seems to have been fully established, as we shall show below, following the law of Moses, which forbids marriages with the widow of a deceased brother.* The marriage of a brother's widow was forbidden by the Emperor Constantine, and the children of those who were thus married declared spurious and illegitimate.† This law was confirmed by Theodosius the younger.‡ By the canons of the Church, (of which Henry was not only a professed member, but afterwards styled "Defender of the Faith,") such marriages were condemned as incestuous, and the contracting parties were obliged to undergo public penance. Thus, in A.D. 314, the council of Neo-cesarea, in Pontus, excommunicated any woman who married two brothers, and she was not permitted to partake of the sacrament, except on condition that

* Leviticus xviii. 16 ; xx. 21.

† Cod. Theod., lib. iii. tit. 12, *de incest. nup.* Leg. 2.

‡ Ibid., Leg. 4.

she dissolved her marriage and submitted to public penance.* So, likewise, the council at Rome, under Pope Zachary, A.D. 743, anathematised any one who should marry his brother's wife, founding the prohibition expressly on the law of Moses, which the council declared to be binding on all Christians; and they forbade the clergy to administer to such the sacraments of the Church, unless they consented to break the tie and do public penance; and to which the whole assembled bishops thrice chimed in "Let him be anathematised."† And the same prohibition was confirmed by the Popes Eugenius II. and Leo IV., and taught by the fathers of the Church. In confirmation of this sentiment of the fathers we need only refer to St. Basil's 197th epistle to Diodorus Tarsensis, wherein he argues against such marriages as incestuous and void.

* Labb. et Coss. Concil. Conc. Neo-cesarencis, can. 2, tom. i. col. 1480. Paris, 1671.

† "VI. Ut consobrinam, neptem, novercam, *fratris uxorem*, vel etiam de propria cognatione, nullus præsumat in conjugio copulare, quia scriptum est in lege Domini: 'turpitudinem uxoris patris, uxoris fratris, atque sororis tuæ non revelabis: turpitudinem enim tua est.' Et si Deus Hebraico

It is clear therefore that a marriage with a brother's widow was declared from the earliest ages incestuous and null. By the levitical law (which the Church professed to follow), it was condemned as "unlawful and unclean," and by the whole Church and by Popes themselves as void. Notwithstanding a pope in the 16th century took upon himself to reverse the whole order of things, by a dispensation, which it is clear he would refuse to none, provided the interests of the Papacy were served thereby. The interest of THE CHURCH is paramount. The laws of God and man are, without scruple, set aside to make room

populo ante incarnationem unigeniti. Filii sui hæc servanda mandavit ; quanto amplius nos qui Christianæ veritatis documenta tenemus, ab illicitis connubiis observare debemus, ne demersi in voragine, ignis æterni concrememur incendio.' Si quis vero in hoc nefario conjugio convenerit, et in eo permanserit, sciat, se auctoritate apostolica anathematis vinculo esse innodatum. Et nullus sacerdos illis tribuat communionem, ut in superiori capitulo continetur. Etsi inclinatus divisusque fuerit ab illicita copula, pœnitentiæ subdatur, ut sacerdos consideraverit."—Labb. et Coss. Concil. Conc. Rom. I., Congreg. a Zacharia Papa. Ann. 743, can. vi. tom. vi. col. 1546, Paris, 1671 ; and Edit. Mansi, tom. xii. col. 383. Florent. 1766 ; and see *ibid.* Eugenius II. ann. 824. Leonis IV. 847, referred to in margin of last-named place.

for her. If the Pope, or what is the same thing *The Church*, defines *white* to be *black* we are seriously called upon, in order to preserve that beautiful unity which is supposed to pervade the whole system, to disbelieve our own eyes and literally believe that our sense of sight deceives us and that the Church is right. We must swear *black* is *white*; or *white*, *black*, just as the Church so defines it to be.*

The Pope, in the present case, sacrificed principle to expediency; but he built on a sandy foundation. Henry VII. was persuaded

* This proposition is seriously laid down as a rule in "The Spiritual Exercises of St. Ignatius of Loyola, translated from the authorised Latin," by Charles Leager, M.A., "to which is prefixed a preface by the Right Reverend Nicholas Wiseman, D.D." London, Charles Dolman, 1847. In pp. 173—180 are laid down "some rules to be observed, in order that we may think with the orthodox Church."—"The first, removing all judgment of one's own, one must always keep one's mind prepared to obey the true spouse of Christ and our holy Mother, which is the orthodox, Catholic, and Hierarchical Church."—(P. 173.) "The thirteenth, that we may in all things attain the truth (that we may not err in anything), we ought ever to hold it (as a fixed principle) that what I see white I believe to be black, if the Hierarchical Church so define it to be."—(P. 180.)

by Wareham, then Archbishop of Canterbury, that the marriage of Prince Henry with Catherine was contrary to the law of God. He also foresaw and pointed out to the King the troubles that would ensue on a controverted title to the throne; as the issue from such a marriage, it was represented, could not succeed to the Crown. Accordingly Prince Henry, on coming of age (27th January, 1505), by his father's command, declared before a Public Notary, "that whereas, being under age, he was married to the Princess Catherine, now, on coming of age, he protested against the marriage as illegal, and annulled it."*

1509. April 22, Henry VII. died.

1509. June 3. Reasons of policy dictated that the alliance with the House of Arragon should be continued, and friendship maintained with the Emperor Charles V., Catherine's nephew. The Council of Henry VIII., therefore, prevailed on him to re-marry

* This document is in the Cotton Library, Vitel., b. xii. and is cited in full by Burnet, "History of the Reformation," Records, b. ii. vol. iv. p. 5, Nares's edit., 1830.

Catherine, which he did six weeks after his accession to the throne.

Of this marriage a son was born in January 1511, who died in the following month. Another son was born and died in November 1514.

The Queen had many miscarriages, thus seeming to fulfil the predictions of sacred writ, according to the law of Moses, that if a man took his brother's wife he should die childless.

The reader should bear in mind, that it was in this year (1511) ANNE BOLEYN was born (Camden says in 1507). In order to throw discredit on everything connected with the dawn of the Reformation in England, Sanders, a Jesuit, whose very profession almost puts him beyond the category of a trustworthy writer, on questions affecting his Church, originated the calumny that Anne was, in fact, a bastard daughter of Henry VIII. There appears nothing too vile that theological animosity will not suggest. The calumny is of greater consequence than at first sight appears; for it affects equally the daughter of Anne, —Elizabeth,—the first Protestant sove-

reign after the boy Edward, and with her the Reformation itself.

1516. February 19, MARY (subsequently Queen) was born, who alone of all the children of this marriage, lived to attain a mature age.

We now come to the real cause of the separation from Catherine ; and it will be seen that it had nothing whatever to do with Henry's affection for Anne Boleyn. Roman Catholic prelates alone were responsible for the act. It happened in this wise :—

It was the custom in those days to betroth princesses at an early age. When Mary was about eleven years old (April, 1527), she was to be betrothed to one of the sons of the king of France. The treaty of marriage had already been drawn up, on the 24th December previously (1526), but the [Romish] Bishop of Tarbes, the French king's ambassador in this country, denied the legality of Henry's first marriage, as being contrary to divine precept, with which no human authority could dispense ; as also contrary to the law of the Church ; and he, therefore, denied the legitimacy of Mary. This put an end to the proposed marriage.

In consequence of this startling objection, revived, in this solemn and practical manner, the King's scruples were again raised—his sincerity at this time has never been questioned; and, acting under the advice of Cardinal Wolsey, and Longland, his confessor, who declared the union sinful, he was induced to examine into the legality of the marriage; and be it remembered, that Anne Boleyn was not then heard of at the court.

This is a great fact. Indeed, there is evidence that the King, for three years before this, had abstained from all intercourse with the Queen.* He considered the death of his children, in succession, as a curse from God for his unlawful marriage. He consulted the canonists and divines of the day, who testified against the legality of the union. His favourite author was Thomas Aquinas, whom he consulted; and here again he found the opinion deliberately recorded that the laws in Leviticus, with

* See the letter to Bucer, referred to by Burnet in his "History of the Reformation," pt. i. b. ii. p. 60, vol. i. edit. 1830.

reference to the forbidden degrees of marriage, were moral and eternal, and binding on all Christians; and that the Pope could only dispense with the laws of the Church, but not the laws of God. The interest of the kingdom, it was also urged upon him, was compromised in the question; which required that there should be no doubt as to the succession to the Crown. If Mary were illegitimate, there was no immediate successor. The horrors of a civil war, such as had raged between the houses of York and Lancaster, buried with his father, might be renewed, in another channel after his own death. James of Scotland, the mortal enemy of England, would be the next heir to the English throne.

Henry would be thus bequeathing to his country a contested succession, and probably a civil war between rival claimants. The entire nation was interested in the question. Opinions were freely expressed. Henry's subjects desired him to marry again, that there might be a legitimate heir to the throne. The necessities of the times required this. The urgency of the case was felt, and the

importance of setting at rest the question of succession was pressed on the King.*

Thus doubts and difficulties were raised, commenced even from the King's boyhood, and now revived in his more mature years. To suggest that Henry was moved by conscience would be at once to create an incredulous smile, so prejudiced are all our conceptions of Henry. But we shall presently see that the Pope's own legates gave him credit for sincerity in his motives; it is nevertheless true that he was guided and advised by Wareham, Archbishop of Canterbury, and Longland, in all he did. He entrusted to them the duty of ascertaining the opinions of the bishops of England on the

* The writer is not expressing his own opinions. He does not desire to justify or palliate an act, if in itself immoral or illegal, merely on political grounds, to meet a temporary difficulty; but if example can be pleaded in justification, Napoleon did not hesitate to set aside Josephine, without even the excuse of an illegal union, to marry another, with the sole view of perpetuating the succession. This was truly the great blot in Napoleon's career; but we do not find him held up to reprobation, as is the fashion to condemn Henry, in whose justification the plea of political necessity, as well as the illegality and, in fact, nullity of the first marriage, could be advanced.

subject. These opinions were obtained in writing. All the English bishops except FISHER, BISHOP OF ROCHESTER, undoubted Romanists, concurred in declaring under their hands and seals, in a most solemn manner, that the marriage with Catherine was illegal. Cranmer was not then a bishop, nor was he consulted. This is important ; for it is a vulgar error, propagated by Romanists, that he was the originator and main instigator of these transactions, and was, consequently, rewarded by the *King*, and not the Pope, which is contrary to the fact. The opinion advanced by the bishops was endorsed by the laity, including the united Bench of the Jurisprudence of the country, who were agreed on the subject, SIR THOMAS MORE alone dissenting. Fisher and More would have readily acquiesced in the general opinion, but for the original Bull of dispensation. The Pope with them, right or wrong in his decrees, was supreme, and his decision above the law. It was not, in fact, the divorce they opposed, but the questioning the legality of the original act consecrated by the sanction of the Pope, and acting in an ecclesiastical matter without his permission. Cardinal Wolsey, a politician

as well as a divine, differed in opinion from both More and Fisher, insomuch that, in July, 1527, he personally undertook to procure from the court of Rome a decree for a divorce, and for this purpose armed himself with the safest passport, £240,000, to negotiate with; but the existing Bull presented a difficulty of which the court of Rome availed itself as a temporary excuse. Many subtle points of law were raised on the validity or sufficiency of the dispensation; and this point was argued with a vigour and apparent earnestness, as if an important question of international law had been in dispute. The theme was too profitable to be decided on in a hurry. The Cardinal did not despair of success in purchasing the Pope's consent, for he knew the value of the old wise saying, which was equally applicable to modern as to ancient Rome,—“*Omnia Romæ cum pretio* ;”* at least, so he seemed to think. A fee of 4,000 crowns at once passed into the palm of the Cardinal Sanctorum Quatuor at Rome. In a letter of advice to Gregory Cassalis (the King's ambassador at Rome) Wolsey, cunning

* Juv., Sat. iii. 133-4.

and worldly-wise in all his acts, expressed a great sense of the service rendered to the King by the Cardinal Sanctorum Quatuor, and bid Cassalis inquire "what were the things in which he delighted most; whether furniture, gold, plate, or horses, that they might make him acceptable presents, and assure him that the King would contribute largely towards the carrying on the building of St. Peter's in the Vatican." The gilded pill operated in the most approved manner, as the Sanctorum Quatuor now found the King's demand most reasonable. This he now freely expressed to Cassalis.

These negotiations, nevertheless, were allowed to linger; for it, perhaps, will be remembered that the Pope was, at this time, a close prisoner of the Emperor Charles V., Catherine's nephew. The Emperor had defeated the army of Francis I., king of France. The Pope had aided Francis. This greatly offended Charles, who charged the Pope with ingratitude and perfidy. He besieged Rome, and in May, 1527, after the battle of Pavia, took the Pope prisoner and detained him for about six months. The Pope, who had formed the Clementine

league between various European powers against the Emperor, and had absolved the King of France from the oath which he had previously taken at Madrid to enable him to join this league, was now punished for his perfidy and duplicity.

In December, 1527, the King sent a deputation to the Pope. They found him still a prisoner in the hands of Charles V. They got admission to him by corrupting the guards. The King's demands to obtain a divorce were made known to the Pope, who afterwards promised, under his hand, to grant the dispensation required—namely, for a divorce—and, further, promised that the Bull should follow. *The word of a Pope ought to be his bond.* There is a legal axiom,—that which is agreed to be done, in equity, is considered as done. The Pope's consent to the divorce, for what it was worth, was obtained in 1527. He was actuated in this, again, solely by motives of expediency.

The accusation is, that Henry *vainly attempted to obtain from the Pope his consent to a divorce from Catherine.* Against this assertion, and in support of the true statement of

the facts we have above advanced, we will quote Dr. Lingard, a Roman Catholic historian of undoubted authority, at least with Romanists :—

“The Pope,” he says, “signed two instruments presented to him by the envoys of King Henry, the one authorising Cardinal Wolsey to decide the question of divorce in England, as the Papal legate, granting Henry a dispensation to marry, in the place of Catherine, *any other woman whomsoever, even if she were already promised to another, or related to him in the first degree of affinity.*”*

According to the same authority (Dr. Lingard), the Pope further expressed his opinion in the latter case, in these unmistakable terms :—

“If he [the King] be convinced, in his conscience, as he affirms, that his present marriage is null, *he might marry again.* This would enable me or the Legate to decide the question at once. Otherwise it is plain that by appeals, exceptions, and adjournments, the case must be protracted for many years.”


* Dr. Lingard gives the date of this, January, 1528. “History of England,” vol. vi. pp. 128-9, edit. 1848.

This, at least, is no Protestant invention ; but it completely overthrows the theory advanced by interested parties ; but we cannot account for the strange inconsistency which condemns Henry for following the Pope's own advice.

This document, according to Dr. Lingard, was not signed under duress, or under promises of assistance. We shall not presume to deny that the £240,000 had something to do with the matter. The Pope had, on the 9th December previously (1527), been set at liberty, and was at Orvieto.

Here, then, was the solemn promise of the Pope given to sanction the divorce, with the unholy permission to marry again, even within the degrees of prohibited affinity, before either Anne Boleyn or Cranmer appeared on the scene of action. And there is no doubt that had the Pope been at this time a free agent in his palace at Rome, and not under fear of the Emperor, the Bull itself would have been forthwith issued.

This is another great historical fact, which is kept in the background by those who trade on the ignorance and credulity of mankind,



to support their creed and damage their opponents.

The Pope's promise having been thus obtained, the King, in Februray, 1528, sent the Bishops Gardiner and Fox, his secretaries, to Rome, to prosecute the King's cause, and obtain the formal Bull. But, alas! the Pope was but a fallible man,—a weak, impotent prince! He found himself, as he himself quaintly observed, “like a red-hot piece of iron between the hammer and the anvil.” If he issued his Bull of divorce, confirming his promise already pledged, he would risk the persecution of his old oppressor, the nephew of Catherine, from whom he had just escaped; and if he refused, he would forfeit the support and allegiance of so powerful a king as Henry; and of this he was advised by his agents, as we shall presently see. Accordingly the Pope began to temporise, and delays were purposely interposed.

What could the poor old man do? He did not act on principle; it was a question of expediency with him. It was at this period that the French and English combined had defeated the Imperialists in the north of Italy;

and, when ultimate success seemed probable against his oppressor, Charles, the old Pope took heart, and told Sir Gregory Cassalis, then still Henry's ambassador at Rome, that, if the French would only approach near enough to enable him to plead compulsion, he would grant a commission to Wolsey with plenary power to conclude the cause.*

If the original documents, which are stubborn witnesses, were not in existence to prove the facts we are relating, one would scarcely believe that a professed Christian bishop, arrogating to himself the title of CHRIST'S VICAR ON EARTH, could have acted with such duplicity, and that such a clatter should be made of the Pope's alleged refusal "to consent to such a violation of Gospel morality." The Pope, in his perplexity, communicated his wishes to and consulted the Cardinals Sanctorum Quatuor (the same who took a fee of four thousand crowns for his trouble in the matter) and Simmeta, and the result of this conference was a proposal from the Pope to Gregory

* See Froude's "History of England," vol. i. p. 126, London, 1856 ; and the authorities cited by him.

Cassalis (which was communicated by the latter to the King on the 13th January, 1528*) to the effect that, "If the King found the matter clear in his own conscience (in which the Pope said no doctor in the world could resolve the matter better than the King himself), he should without more noise make judgment be given (either by virtue of the commission the secretary had obtained, or by the legatine power that was lodged with the Cardinal of York) and presently marry another wife, and then send for a legate to confirm the matter; for it would be easier to ratify all when it was once done than to go on in a process from Rome. Otherwise the Queen would enter a protest, whereupon, in the course of law, the Pope must grant an inhibition while the suit at law was pending, and require the cause to be heard at Rome. But if the thing went on in England, and the King had once married another wife, the Pope would then find a very good reason to justify the confirming a thing that was gone so far; and, thereupon, promised

* Cotton Lib. Vitel., b. x. Quoted in full by Burnet, Records VI. book ii. vol. iv. edit. 1830.

to send any Cardinal whom they should name." This message the Pope desired Cassalis would convey to the King as coming from the two Cardinals, but he himself was not to be implicated or compromised in the matter. The affair, however, was not to be so easily settled; other influences were put in action. The Pope was pressed by those who represented the Emperor Charles for an inhibition, which he refused on the technical ground of no suit pending.

Let us, however, proceed in our history. The Pope escaped and fled to Orvieto, convinced at, it is supposed, by Charles himself, where he signed the document referred to by Dr. Lingard; not under compulsion, be it understood, but unknown to Charles.

In May, 1528, the Pope sent his legate, Cardinal Campeggio, with a Decretal Bull to England, empowering the legates to decree in the matter, publicly as an earnest of the proposal to Cassalis, but in real fact this was only for delay. Campeggio had his private as well as his public instructions. The cunning old Cardinal first sought to solve the difficulty by endeavouring to persuade Catherine to retire

to a convent. There she would have been dead to the world; but in this he failed. The lady, backed by the Emperor, who undertook to maintain her title, adhered to her rights. Diplomacy ensued, delays again interposed. Had Catherine been unsupported by the Emperor, all this delay would have been needless. She would have found no sympathy with the Pope. Indeed, it is supposed that Campeggio brought with him the Bull of confirmation, to be used as circumstances might dictate; but there is no direct proof of this. It was repeatedly referred to as a fact, but never produced; the alleged existing copy is supposed to be spurious.

Thus matters remained until October, 1528. We select this date, because it was in this month that the King first gave any evidence of his affection for ANNE BOLEYN.* And here we

* Anne Boleyn went at an early age to France, and lived with the French King's sister. On the King's death, the Queen Dowager returned to England; but Anne was so much liked at the French court that the wife of King Francis I. kept her in her service for some years, and after this queen's death, the Duchess of Alençon kept her in her court while she was in France. These facts at least refute

must quote again from the Roman Catholic historian, Dr. Lingard, as to Henry's motives and Anne Boleyn's character:—

“It had been intimated to Pope Clement [probably by Pole] that the real object of the King was to gratify the ambition of a woman who had sacrificed her honour to his passion on condition that he should raise her to the

the calumnies as to Anne's alleged levity, if not direct immorality, while she was in the French court, as these royal personages were celebrated for their virtues. It is supposed that Anne returned to England in the latter end of the year 1527, and entered the service of Catherine as maid of honour. It was not until the latter end of the following year that the first symptoms of affection were shown by the King to Anne Boleyn,—nearly two years after the public protest by the Bishop of Tarbes as to Mary's illegitimacy, and nearly five years after Henry's virtual separation from the Queen (if the letter to Bucer is to be admitted as evidence. See *ante*, p. 27, note). The facts as above related in connection with dates clearly show that the King's affection for Anne had nothing whatever to do with his separation from Catherine. There is no record or evidence that the Queen had any complaint against Anne's moral conduct; and so little was a marriage with the King contemplated, that there were other suitors for her hand, and one of the charges afterwards brought against her was a previous betrothal to another, which in those days appears to have been a ground of objection to a subsequent marriage.

throne. But, after the perusal of a letter from Wolsey, the pontiff believed, or, at least, professed to believe, that Anne Boleyn was a lady of unimpeachable character, and that the suit of Henry proceeded from sincere and conscientious scruples."* Mr. Froude, who has given this part of the subject a deep and impartial consideration, and whose excellent history now ranks with us as a standard work of the highest order, with reference to Henry's motives for a divorce, says:†—

"They [the King's scruples] were not originally occasioned, I am persuaded, by any latent inclination on the part of the King for another woman; they had arisen to their worst dimensions before he had ever seen Anne Boleyn, and were produced by causes of a wholly independent kind."

The Pope's own legates bear out this view, who wrote to him in May 1529 (and to this we shall have to refer again):‡—

* Dr. Lingard's "History of England," vol. v. p. 133, edition 1848.

† Froude's "History of England," vol. i. p. 106. London, 1856.

‡ Ibid. idem; and Burnet's Records, b. ii. n. xxiv.

“It was mere madness to suppose that the King would act as he was doing merely out of dislike to the Queen, or out of inclination for another person. He was not a man whom harsh manners and an unpleasant disposition could so far provoke; nor can any sane man believe him to be so infirm of character that sensual allurements would have led him to dissolve a connexion *in which he has passed the flower of youth without stain or blemish*, and in which he has borne himself, in his present trial, so reverently and honourably.”

These are the sober opinions uttered by the Pope's own legates, who could have had no motive in view to mislead or deceive their master; on the contrary, they were fully aware of his critical position: they were Romish ecclesiastics of high station, sent here by the Pope himself to conduct this delicate and difficult matter.

Those who defend the conduct of the Pope for refusing the suit of Henry, on the grounds of the sacredness of matrimony and of his alleged licentious demands, would do well to remember that at this very time the Pope gave his ready sanction to the most impudent

request for a divorce ever presented to a court of justice, namely, the divorce of Queen Margaret of Scotland from the Earl of Angus, who thereupon forthwith married the worthless Methuen. This was a scandal and a disgrace to the Papal Court; but we hear nothing of this because, forsooth, all were equally of the Romish persuasion, and no great results followed affecting the Papal power. On the contrary, the act of submission and payment of dues were sufficient to ensure a ready compliance with any demand, however revolting, however unjust it might have been, and which, in this instance, really were so. "The moderate surprise [says M. Froude in a note on this event] which I experienced on reading the speeches of Roman Catholic members of parliament in the late debate on the Divorce Bill, was increased to wonder at the silence with which the assertions of the purity of the Papal Courts were allowed to pass unchallenged."*

When Henry was informed of the limited authority held by Campeggio, and his tergiver-

* "History of England," vol. iv. p. 32. London, 1858.

sation,* he took the matter into his own hands, and sent Sir Francis Brian to the Pope publicly to announce to him that if the consent were not forthwith given, he would take the matter into his own hands, and lay the cause before his own parliament, to be settled by the laws of his own country.

The Pope's difficulties increased : the Emperor Charles now publicly interposed, in January 1529, and conveyed his threats in pretty plain terms. The affrighted Pope repented him of his promises to Henry ; and while he declared to the Emperor (whose interest it was now to conciliate the Pope) that he would not confirm the sentence, he continued to " feed the King with high promises and encouragements," temporizing with both, afraid to offend either ; and, as Strype has it, " the Pope said and unsaid, sighed, sobbed, beat his breast, shuffled, implored, threatened."†

* Campeggio was leading a debauched life, and spent his time in England in hunting and gaming. His illegitimate son was knighted by the King.—See " *Dictionnaire Historique*," art. Campeggio (Laurent).

† Strype's " *Memorials*," Appendix IV., No. 61, p. 100, folio edition.

At the dictation of Charles he, at one time, proposed to excommunicate Henry, while, at the same time, he communicated with the Bishop of Tarbes (still the ambassador of France in England) that he would be happy to hear that the King had got married without consulting him,—in fact, on his own responsibility,—so that he was not committed by the act.*

We cannot see in this the "Gospel morality," and the "incorruptible virtue of Rome," so confidently appealed to by the Rev. Paul Maclachlan.† The Pope still instructed his legates to procrastinate, who in May, 1529, wrote to their master, urging him to grant a Bull in favour of a divorce. This document is extant, and is important.‡ They told the

* "A ce qu'il m'en a déclaré des fois plus de trois en secrèt il seroit content que le dit mariage fust ja faiet en par dispense du Legat d'Angleterre ou autrement ; mais que ce ne fust par son autorité, ni aussi diminuant sa puissance ; quant aux dispenses et limitation de droit divin."—"Déchiffrement de Lettres de M. de Tarbes." Legrand, vol. iii. p. 400 ; quoted by Froude, "History of England," vol. i. p. 241. London, 1856.

† See *ante*, in "Casestated," p. 11.

‡ It is given by Burnet, in his "History of the Reforma-

Pope "it pitied them to see the rack of torments of conscience under which the King had smarted for so many years; and that the disputes of divines, and the decrees of fathers, had so disquieted him, that for clearing a matter thus perplexed, there was not only need of learning, but of a more singular piety and illumination. *To this were to be added the desire of issue*, the settlement of the kingdom, with many other pressing reasons; that as the matter did admit of no delay, so there was not anything in the opposite scale to balance these considerations." The legates added these important reflections as evidence delivered at the time by the Pope's own representatives:—"There were false suggestions surmised abroad, as if the hatred of the Queen, or the desire of another wife were the true causes of the suit. But though the Queen [Catherine] was of a rough temper, and an unpleasant conversation, and was passed all hopes of children; yet who could imagine that the King, who had spent his most youthful days

tion," *in extenso*, vol. i. pt. i. b. ii. p. 110; and vol. iv. Records, No. 28. Nares's edition, 1830.

with her so kindly, would now, in the decline of his age, be at all this trouble to be rid of her, if he had no other motives? But they, by searching his sore, found there was rooted in his heart both an awe of God and a respect to law and order; so that though all his people pressed him to drive the matter to an issue, yet he would still wait for the decision of the Apostolic See." They, however, urged on the Pope to give a speedy decision, "considering this a fit case to relax the rigour of the law;" and they significantly added, that if the dispensation were not granted, "other remedies would be found out, to the vast prejudice of the ecclesiastical authority, to which many about the King advised him; there was reason to fear, that they should not only lose a king of England, but a defender of the faith."

Had the Pope of Rome—the then acknowledged head of the Church—been an honest, devout man, or had acted on principle, on the boasted "Gospel morality" and "incorruptible virtue," and with the fear of God before his eyes, we might have expected submission on the part of the King. In any case the Pope would have had our respect and sympa-

thies. But when it was evident that he was acting the part of a cunning politician and of a vacillating coward, looking after his own temporal ends, it is only surprising that the King, who is represented as being a very vehement and impetuous tyrant, unfairly we think, bore with him so long and so patiently !

It was, however, necessary to do something. Accordingly, a Court was held in England, on the subject of the divorce, in June, 1529, in the presence of the Legates, when Cardinal Campeggio declared, in his official capacity, that the *King and Queen Catherine were living in adultery, or rather incest* ; but, nevertheless, no Bull was issued. It was at this court (18th June, 1529) that the King declared " that in the treaty for the marriage of his daughter with the Duke of Orleans it was excepted that she was illegitimate ; on this he was resolved to try the lawfulness of his marriage, as well to quiet his own conscience, and for clearing the succession to the throne. If the marriage were found lawful, he would be well satisfied to live with the Queen. He was first advised in the matter by the Bishop of Lincoln, and that at his

desire the Archbishop of Canterbury had obtained the opinions of all the bishops" (save Fisher). The Court was adjourned, and on the 25th the Queen, with the concurrence of Campeggio, appealed to Rome, and thereupon, and to create further delay, in August, 1529, the Pope, on the appeal of Catherine and Charles (with whom the Pope had now entered into an alliance), issued an inhibition from proceeding with the divorce in England, and cited the King and Queen to appear at Rome, in person or by proxy, menacing spiritual censures, which were, however, subsequently withdrawn. The King of England very properly refused to obey the summons, or to humour the Pope's whims and schemes. This was the first act towards questioning the Pope's authority in England. But Henry proposed to the Queen to remit the case to any four prelates and four secular men for decision; but she refused the offer.

At the Queen's request a second inhibition was issued in 1529-30, couched in stronger language, but which was equally impotent of purpose.

We now hear, for the first time, of the appearance of CRANMER on the scene.

Cranmer was born at Nottingham in 1489 ; at the age of fourteen he entered Jesus College, Cambridge, and was elected Fellow in 1510-11. At twenty-three he married and lost his fellowship, and became Lecturer. His wife, however, dying in her first accouchment, the Fellows of Jesus College re-elected him, and in 1524 Cardinal Wolsey offered him a more lucrative fellowship, but this he declined to accept. These facts are notorious, and for ever set at rest the odious calumny heaped on Cranmer, that he was married again in Germany, his first wife being alive.* He took the degree of Doctor of Divinity in his 34th year (1523), and was made Divinity reader in his own college, and theological examiner for the degrees of Bachelors and Doctors of Divinity.

In September, 1529, a plague broke out at Cambridge ; Dr. Cranmer removed, and was on a visit at Mr. Cressy's, at Waltham Cross. Mr. Cressy was a relative of his late wife.

* It is one of the slanders propagated against Cranmer that he had two wives at once ; he afterwards married a German lady ; but he was then a widower. As we before hinted, there is nothing too bad which theological animosity will not invent.

By chance—but as Bishop Hall said, “God lays these small accidents for the ground of greater designs,” — humanly speaking, the King, on his journey northward, happened to pass Waltham Cross, where he remained the night, and his two secretaries, Fox and Gardiner, slept at the house of Mr. Cressy while Dr. Cranmer was there. At supper the King’s position was naturally the topic of conversation, when Cranmer expressed his opinion freely, that it was contrary to Scripture to marry a brother’s wife, and recommended that, instead of a long and fruitless negotiation with Rome, it were better to consult all the learned men in the universities of Europe; for if they declared the marriage illegal, then the Pope must needs give judgment; or, otherwise, the original Bull being void, the marriage would be found sinful, notwithstanding the Pope’s dispensation;—a sensible man as things went! This advice was communicated to the King, who commanded him to commit his opinion to writing; and accordingly Cranmer drew up a treatise maintaining that the marriage of Henry with his brother’s widow was condemned by the authority of the Scriptures,

the Councils, and the Fathers; and he further denied that the dispensing power of the Pope could give validity to an union expressly prohibited by the Word of God; and he declared his readiness to defend his opinion before the Pope himself, if the King desired it. The King availed himself of the proposal, and sent Cranmer to Rome, where he, with a deputation of English divines, after presenting the Pope with a copy of his book, offered to contend with him the two propositions: "that no man *jure divino* could or ought to marry his brother's wife;" and "that the Bishop of Rome ought by no means to dispense to the contrary." The Pope was affected in the matter so far only as his personal safety was concerned. His position was embarrassing, for the reasons before alleged, and he wearied out the embassy by delays, refusing his permission that Cranmer should maintain in public his opinion; but the Pope, in order to reward or conciliate him, conferred on him the title of the King's "Supreme Penitentiary" in England.

In 1530 Dr. Cranmer proceeded to seek the opinions of the several universities.

The judgment of all the English Bishops,

except Fisher, had been obtained (4th April, 1530), under hand and seal, declaring the nullity of the King's marriage with Catherine. This decision was approved of, ratified, and confirmed by—

The Universities of Oxford and Cambridge (8th April, 1530);

The University of Orleans (7th April, 1530);

The Faculty of the Civil and Canon Law at Angers (7th May, 1530);

The Faculty of Canon Law at Paris (25th May, 1530);

The Faculty of Divines at Bruges (10th June, 1530);

The Divines of Bologna (10th June, 1530);

The University of Padua (1st July, 1530);

The celebrated Faculty of Sorbonne at Paris (2nd July, 1530);*

The Divines of Ferrara (29th September, 1530);

The University of Thoulouse (1st October, 1530).

* The Faculty decreed "that the King of England's marriage was unlawful, and that the Pope had no power to dispense on it," and to which they attached their common seal.

By the most famous Jewish Rabbins, and by a large number of Canonists in Venice, in Rome itself, and many other places.

It is important to note, to the credit of the Protestants, that the Lutherans, Melancthon and others, gave their opinions that the marriage was void ; but many of them maintained that the King should not marry again during Catherine's lifetime.

It was while Cranmer was on his mission in Germany, in 1531, that he became acquainted with some of the most famous of the German Reformers, and imbibed, perhaps, the first principles of freedom of thought and was inspired by the genius and energy which led him to cast off the yoke of superstition. It was here that he became acquainted with the pastor of Nuremberg, Osiander, whose virtues and wisdom were fit patterns for the precursors of the Reformation in England. Cranmer subsequently married Osiander's niece, which has brought upon him the impotent rage of his opponents, and the first of a series of charges against his character. But Cranmer's conduct and actions were sanctified by his martyrdom. "This martyrdom is his

monument, and his name will outlast an epitaph or a shrine."

The matter was then referred to the House of Commons and to Convocation, both of which bodies decided the marriage to be illegal.

Can any one be surprised that the King of England now entertained a supreme contempt for the Bishop of Rome, for his vacillating and time-serving conduct?

"This dilatory sloth and tricks of Rome I abhor."*

Accordingly, in September, 1530, the King's ambassadors at Rome were commanded in the King's name to refuse to pay submission to the Pope by kissing his toe, or to appear to a citation before the Court of Rome.

Lord Herbert of Cherbury, in his history of "The Life and Reign of Henry VIII.," gives the text of a letter, under date 17th September, 1530, written to Henry by Gregory Cassalis, his agent at the Court of Rome, the original of which he declares to have himself examined. In this letter Cassalis informs the

* *Henry VIII. Act ii. Scene iv.*

King that the Pope Clement VII., admitting the importance of the matter, had proposed to concede to his Majesty the permission even of having two wives,* under the supposition, perhaps, of being unable to revoke the act of his predecessor, Julius II., by granting a divorce from a marriage sanctioned by Papal Bull, but might exercise his assumed prerogatives by granting additional privileges without running counter to existing impediments. Not a bad idea for a man who is supposed to have acted on strict "Gospel morality" and "incorruptible virtue"!

1531, July 14.—The King publicly and finally separated from Catherine; having practically, and to all intents and purposes, done so previously in 1527, if not before.

1532, February 7.—The Cardinal of Ravenna was bribed to advocate the King's suit, and the Cardinals of Ancona and Monte (afterwards Pope Julius III.) sided with the King.

* "Superioribus diebus, Pontifex secreto, veluti rem quam magni fecerit, mihi proposuit conditionem hujusmodi, concedi posse vestræ majestati et duas uxores habeas."—Herbert's "Life and Reign of Henry VIII." p. 130. London, 1683.

We would now ask any reasoning man why Dr. Cranmer should be stigmatized for holding his opinion, when that opinion was supported by such a phalanx of Romish prelates and divines, indeed by universal Christendom?

Wareham, Archbishop of Canterbury, died 22nd August, 1532.

On the 25th January, 1533, the King married *Anne Boleyn*, six years after his virtual separation from Catherine. We would urge on the reader to weigh well all the events of the intervening period,—the Pope's conduct, the want of a legitimate heir to the throne, the anxiety of the King's subjects on this head, and the ominous fulfilment, as it appeared, of Scripture, by the successive deaths of the issue of this first marriage.* To all intents and pur-

* It will be observed that we have not dwelt on the argument so much insisted on at the time, that a male heir to the throne, or at all events a legitimate child, was required and urgently pressed on the king. We are not advocating Henry's cause, or endeavouring to excuse him; and certainly we would not resort to "expediency" as an excuse to justify an act, if sinful in itself. We are only recording *facts* which we think have not had their due prominence.

poses the King was, according to Roman canon law, legally severed from Catherine. The Pope's sanction had been given, and all that was wanting, according to the then accepted notions, was the Bull of Divorce, which was withheld, not from motives of religion, or for conscience sake,—nothing of the kind,—but from fear of the Emperor Charles. An appeal to the Court of Rome would have only complicated matters. Was not the King of England fully justified, therefore (even if no other consideration led to the important step, in passing the Act of the 14th February, 1533, prohibiting all appeals to Rome ?

We come now to another most important fact; namely, that on the 21st February, 1533, the Pope of Rome himself signed the Bull of Cranmer's consecration as Archbishop of Canterbury. It was sent on the 2nd March, and Cranmer was consecrated on the 30th March, 1533. This fact for ever sets at rest the assertion boldly advanced by some, and insinuated by others, that the King, as the head of the "Reformed Church of England," rewarded Cranmer for his services in bringing about this divorce, by appointing him his

Archbishop. Never was such a fallacy! It was the Pope's own act; and it was not a transaction of the Reformed Church of England, but of the Roman Church in England, of which Cranmer was then a member.

It is, however, a fact that Cranmer refused to accept the Pope's Bull for his consecration, but delivered it over to the King, as he did not consider this form necessary to the validity of his appointment, and on taking the oath of fidelity to the Pope, before his consecration, which was the custom of the day, he accompanied it with a public protest "that he did not admit the Pope's authority any further than it agreed with the express word of God; and that it might be lawful for him at all times to speak against him, and to impugn his errors when there should be occasion." This he thrice repeated in the presence of official witnesses.

In April, 1533, the Upper and Lower Houses of Convocation declared the nullity of the first marriage; and it was on the 10th May, 1533, that all the Bishops and Archbishops held a Consistory, over which Cranmer, in his official capacity, presided. "Though he pronounced

sentence, he was but the mouthpiece of the rest, and they were all as deep as he."* And on the 23rd they came to a unanimous decision declaring that the first marriage was void *de facto et de jure*.

It is this solemn decision of the united bench of archbishops and bishops in council which has been erroneously set down as "Cranmer's sentence," and for which he has been so unjustly condemned by a certain class of thinkers and writers. It was the sentence of the entire Court confirming the previous decision of universal Christendom. Cranmer did nothing more than *proclaim* or *record* the decision of the Court over which he presided by virtue of his office as Archbishop of Canterbury. Could the Court have arrived at any other result, or could its president have recorded any other decision? Cranmer's detractors seem to forget this, as also that the judgment was according to the rule then, as well as now, almost unanimously received and acknowledged; namely, that the marriage with

* Strype's "Life of Cranmer," b. i. c. iv. p. 21, (folio edition).

A WIDOW & WIDOWER & ACCOUNTED INTERESTED, and FURTHER & WELL BY THE LAW OF GOD AS BY THE LAW OF NATURE. A MUCH PROCESS ISSUED ON THEIR BEHALF IN THE CASE WHO WERE MOST REVERENT ACROSS THE WATERS—members of the LONDON COMMUNITY. It is, therefore, an act of INJUSTICE TO FIX ON THIS COUNCIL OR ON COURT. WHICH ONLY EXPRESSED THE OPINION OF THE CLERGY AND PEOPLE OF ENGLAND, OTHER THAN AN IMPARTIAL CONVICTION IN DELIVERING THEIR DECISION. It is EQUALITY AND AS JUSTICE TO CAST IMPEACHMENTS ON THE CHARACTER OF THE KING, WHO HAD INDISPUTED WORTH AN IRREPROACHABLE CHARACTER; WHICH HE SHOULD BE CONSIDERED AS BEING ACTUATED BY LOW OR CRIMINAL MOTIVES, WITHOUT THE HIGHEST EVIDENCE, AND ONLY ON THE EXPOSURE OF ASSERTIONS OF INTERESTED PARTIES. They WERE TO FORGET THAT THE COUNCIL HAD AND ABETTED HENRY VIII. IN AN ILLEGAL COURSE, AND THAT HENRY ONLY PURSUED HIS COURSE WITHOUT ANY JUST GROUND, AND ONLY TO GRATIFY AN INORDINATE PREJUDICE,* THE WHOLE OF THESE BISHOPS, CARDI-

* "Nothing," says the learned Dr. Milner "that than the King's unfounded prejudice, and not the word of God, was the real ground in this last important change of our national religion."—"Part of a Kingdom Controversy," Letter vii.

nals, divines, universities, canonists, and even the Pope himself, were guilty as his accomplices!! All these were members, most of them priests, of the Roman Church; the Reformation did not actually commence until the succeeding reign. These detractors would have been silent had the Pope's permission for the divorce been confirmed by the issue of a Bull—a senseless lump of impressed wax attached to a piece of parchment, on which the decision already given would be formally recorded. They would consent to submit to the dictation of a miserable mortal who wickedly assumes the power of dispensing, at will, the law of God and nature (for so was it universally believed, and is still believed, by this very class of detractors) and would recognize a decision which the Pope had no more right or power to deliver then than he has now. In fact, an act unlawful and immoral in itself they readily recognize as moral and lawful because it was sanctioned by a decree of a fallible man—Pope Julius II., “sitting in the place of God; showing himself as if he were a God.” We, however, decline to recognize the “theological axiom” subscribed by the

members of the Roman communion, that—
 “the Catholic faith teaches that all virtue is good and all vice is evil; but if the Pope should err by prescribing vices or prohibiting virtues, then the Church would be bound to believe that vices are good and virtues evil, unless she wished to sin against conscience.”*
 And, thank God! we Protestants are not bound to subscribe to that axiom seriously propagated, yes, indorsed even by Dr. Wiseman, which requires us to believe *white* to be *black*, if the Church of Rome pleases so to define it.†

After such a unanimous and solemn decision of universal Christendom, what virtue could there be in a Bull of confirmation by a Pope,—in a Bull already promised but withheld only from fear and from worldly motives? ‡

* “Nam fides Catholica docet, omnem virtutem esse bonam, omne vitium esse malum; si autem Papa erraret præcipiendo vitia, vel prohibendo virtutes, teneretur Ecclesia credere vitia esse bona, et virtutes malas, nisi vellet contra conscientiam peccare.”—Bellarmine, “De Pont. Rom.” lib. iv. c. v. sect. viii. p. 456 (Prag. edit. 1721).

† See *ante*, p. 23, note.

‡ The several documents proving all the above facts are recorded in Burnet’s “History of the Reformation” (Nares’ edition, 1830), vol. i. pp. 54—223.

In the month following (viz. June, 1533) Anne was crowned queen. The ceremony was attended by bishops, monks, and abbots, at which the Bishop of Bayonne took a conspicuous part. They joined in the procession; and the Bishops of London and Westminster bore the lappets of her robe; and thus giving this marriage their moral support.

On the 12th May, 1533, the Pope cited Henry to appear at Rome, the Emperor urging him on to proceed to excommunication; but the Pope hesitated, and waited the result of his proposed interview with Francis I. on the subject, which it was hoped would bring about a reconciliation. On the 29th June, the King appealed from the Pope to a General Council. The news of the King's marriage arriving at Rome, so exasperated the Pope, that in a fit of passion he threatened to boil Bonner, the king's messenger, in molten lead, or burn him alive. But he considered it more prudent to reserve his wrath, and he postponed his judgment on the case to the 12th July, when he issued a brief reversing the sentence of Convocation, and commanded Henry to cancel the process; and if he failed to obey, he was to be

declared excommunicate; but he still suspended his censures.*

Henry refused to retract.

7th September, 1533, ELIZABETH (afterwards queen) was born. It was on this very day that the Pope, on the interference of Francis I., King of France, promised to give his sanction in favour of the divorce, *provided the King submitted to his* (the Pope's) *jurisdiction*. Francis urged upon the Pope the necessity of complying with Henry's demand. The Pope, on this occasion, said to Francis—and which the King of France communicated to Henry by letter,† that he (the Pope) *was satisfied that the King of England was right, that his cause was good*, and that he had only to acknowledge the Papal jurisdiction by some formal act, to find sentence immediately given in his favour: a single act of acknowledgment was all the Pope required. The French monarch was commissioned to offer a league, offensive and

* State Papers, vol. viii. p. 481.

† See Froude's "History of England," vol. ii. p. 151, London, 1858; and State Papers, vol. i. p. 421. (I prefer to refer to so excellent a work as Mr. Froude's, as being easily accessible to the general reader.)

defensive, between England, France, and the Papacy. This was to be the price of the proposed concession. A holy compact indeed ! Henry VIII., however, replied with a calm dignity, befitting the high position he held in Europe, and as King of England. He rejected the proposal with temperate forbearance, and sent for a reply, " that all his acts, from the commencement of his reign, proved that he was well disposed to the Pope ; but, as matters stood, he would make no conditions. It would redound much to the Pope's dishonour if he should seem to pact and covenant for the administration of that thing which, in his conscience, he had adjudged to be rightful. It was not to be doubted that, if he had determined to give sentence for the nullity of the first marriage, he had established in his own conscience a firm persuasion that he ought to do so ; and, therefore, he should do his duty *simpliciter et gratis*, without worldly respect, or for the preservation of his pretended power or authority."....."To see him (continued Henry) to have this opinion, and yet refuse to give judgment in our behalf, unless we shall be content, for his benefit and pleasure, *cedere*

juri suo; and to do something prejudicial to our subjects, and contrary to our honour, it is easy to be foreseen what the world and posterity shall judge of so base a prostitution of justice." Thank God it was a Henry VIII., and not a King John, with whom the Pope had to deal! And when history is correctly represented, and not distorted by interested parties (by the very parties whose leader on this occasion acted such a venial and dishonest part), posterity *will* judge rightly, as well of the Pope's attempt to prostitute justice, as of Henry's magnanimity, boldness, and consistency of purpose and character.

That the Pope of Rome was not actuated by any principle of religion or morality in refusing to confirm the original consent given for the divorce, becomes more apparent when we find that Pope Pius V.—the same Pope who afterwards excommunicated Elizabeth—so late even as the year 1566, thirty-three years after the birth of Elizabeth, offered to remove the impediment of her supposed illegitimacy, and "reverse the sentence of his predecessor;" yes, "and that he was extremely anxious to do so," on condition, of course, that Elizabeth

should "submit to his rule." The Spanish ambassador, De Silva, assured Queen Elizabeth that "she had only to express a desire to that effect, and the Pope would immediately remove the difficulty."*

If Henry, as is alleged, was actuated by "inordinate passion," the Pope was most certainly moved by inordinate love of power. But we cannot admit that the Pope was "conscientiously inflexible," or that the "creed of the Protestants" was "more accommodating than the" (so called) "old religion which" (as alleged) "could not tolerate such a scandal," or that Henry "was baffled by the incorruptible virtue of Rome;"† the fact being, that the Pope had fixed his price for his consent; but it was Henry, as also Elizabeth, and not the Pope, that were "incorruptible."

Henry and his parliament acted with becoming dignity, and without haste. The interview above alluded to occurred early in Sep-

* See De Silva's letter to Philip II., dated December, 1566, quoted by Mr. Froude *in extenso*, History of England. "The reign of Elizabeth," vol. viii. pp. 329-30. London, 1863.

† See the "Case Stated," *ante*, pp. 7—12.

tember, 1533; Henry's answer was returned in November, 1533; and it was not until the 20th March, 1534, after the Pope had refused Henry's appeal to a General Council, and that his sentence had come into force by reason of Henry's non-compliance with the order of the 12th July, 1533, that the English Parliament passed the Act abolishing the Pope's power in England; but the Commons expressly declared that a separation from the Pope was not a separation from the Unity of the Faith.* The Pope, having nothing better to fall back upon, on the 23rd March, 1534, confirmed the sentence against the divorce; not in consequence, however, of this Act—they came almost together—but, probably, in consequence of Henry's letter, backed by the promise of support of Charles V.

In 1535, Paul III.—the very same Paul III. who, when a Cardinal (Cardinal Farnese), in all the debates at the Court of Rome had, unswervingly, advocated Henry's suit for a divorce, and maintained the justice of his demands; and who, even after the sentence

* 25 Henry VIII. c. 21.

against Henry at Rome was pronounced, urged the reconsideration of the fatal step *—this same Paul III. issued his Bull of deposition of Henry VIII., cursing and anathematizing him and his posterity, absolving all his subjects from their allegiance;† a document which the King of France declared to be a most impudent production; and that the Pope's "impotent threats could not only do no good, but would make him the laughing-stock of the world."‡ So little was the Pope's impotent threat estimated by the English ecclesiastics, that the whole of the Bishops then in England (nineteen in number), and twenty-five Doctors of Divinity and Law, signed a declaration against the Pope's pretensions, and his assumed ecclesiastical jurisdiction, which concluded with the following remarkable words:—"The people ought to be instructed that Christ did expressly forbid his Apostles or their successors to take to themselves the power of the

* Froude's "History of England," vol. ii. p. 332. London, 1858.

† We give this Bull in its entirety in an Appendix.

‡ State Papers, vol. viii. p. 628, quoted by Froude.

sword, or the authority of kings; and that if the Bishop of Rome, or any other bishops, assumed any such power, he was a tyrant and usurper of other men's rights and a subverter of the Kingdom of Christ." *

It was in May, 1537, that Anne was accused and found guilty of adultery. Paul III. attempted to take advantage of the circumstance of Anne's misdemeanour. He hoped that Henry would have relented, and come back to his allegiance. He sent again for Sir Gregory Cassalis, and renewed the former negotiations. He expressed his satisfaction that God had delivered the King from his unhappy connection; he assured the King's ambassador that he waited only for the most trifling intimation of a desire for reunion to send a Nuncio to England to compose all differences, and to grant everything which the King could wish. He hinted that an union with Henry would make them arbiters of Europe, and could dictate their own terms to the Emperor and Francis. In the contempla-

* Quoted by Burnet, "History of the Reformation," pt. i. b. iii. vol. i. p. 399 (Nares' edit. 1830).

tion of this "holy alliance," he conveniently forgot the "Clementine League," and carefully glossed over the formidable Bull of Deposition as a mere official form, which there had been no thought of enforcing, reminding Cassalis that from the first he had been a constant friend to Henry, urging [when Cardinal] on his predecessors and on Charles to sanction the divorce, and only from external pressure "seemed to consent to extreme measures," which were never intended to be enforced.*

Truly the children of this world are wiser in their generation than the children of light !

Henry VIII. had emancipated himself from the thralldom of the papacy. He had braved the danger, he had felt the extent of papal wrath, and the anathemas passed by him as the idle wind.

"His curses and his blessings

Touch me alike; they are breath I not believe in."†

Henry saw no reason to retrace his steps,

* See Letter of Sir Gregory Cassalis to Henry VIII. Cotton MS. Vitellius, b. 14, fol. 215, quoted by Froude.

† *Henry VIII. Act ii. Scene ii.*

and therefore remained firm to his purpose ; a striking contrast to the vacillating, time-serving policy pursued by the so-called Vicar of Christ, whose kingdom is supposed not to be of this world. Such is the simple and true history of this transaction.

The Pope of Rome, from motives of expediency, gave his sanction to an illegal union. Had he acted otherwise, he would have incurred the displeasure of the King of England and the Emperor of Germany. He gave his sanction for the divorce, but for fear of the consequences, withheld the Bull of confirmation. He dreaded his old enemy the Emperor, Catherine's nephew. He temporized with both monarchs ; he was, in fact, between "the hammer and the anvil," and finally paid the penalty of his vacillating conduct. Henry very properly freed himself from the trammels of a worldly, time-serving Bishop, according to the established law of the land ;* he re-

* " This is all which we are able to say of the immediate catastrophe which decided the fate of England, and, through and, of the world. The deep, impenetrable falsehood of man ecclesiastics prevents us from discovering with entions the game of the last few weeks or months

asserted the dignity of the Crown of England, and its independence of a foreign priest.

had been played. It is sufficient for Englishmen to remember, that whatever may have been the explanation of his conduct, the Pope, in the concluding passage of his connection with this country, furnished the most signal justification which was ever given for the revolt from an abused authority. The supreme judge in Christendom had, for six years, trifled with justice, out of fear of an earthly prince. He concluded these years with uniting the extreme of folly with the extreme of improbity, and pronounced a sentence, willingly or unwillingly, which he had acknowledged to be unjust."—Froude, vol. ii. p. 216. London, 1858.

CHAPTER III.

THE KING'S CHARACTER AS AFFECTING THE
REFORMATION.

"It will help me nothing
To plead mine innocence ; for that die is on me
Which makes my whitest part black."

Henry VIII. Act i. Scene i.

"For I know
There's none stands under more calumnious tongues
Than I myself."—*Henry VIII. Act v. Scene i.*

IN order to discredit the Reformation in England in general and the Church of England in particular—for it must be remembered that the charge against Henry is, that he changed his religion and became Protestant, and thus founded the Reformation in England—the most popular and short process is to blacken the character of Henry VIII. ; and if they can succeed in this, a certain class of writers think that they have advanced a sufficient answer to all arguments, as well in favour of the Reformation as of the Church of England.

We have no desire to become apologists for Henry VIII. "It is not the work of an historian," says some writer, "to refute the lies of others, but rather to deliver such a plain account as will be a more effectual compensation than anything can be that is said by way of argument, which belongs to other writers." But let us take it for granted that the ordinary estimation of Henry's character is correct,—that he was brutal, lascivious, cruel, and tyrannical. This can have no possible reference either to the desirability of a Reformation in the Church, or any valid objection to the Church of England as now established. Put Henry in the scale, even with the ordinarily accepted estimate of his character, with any of the contemporary Popes, and he will come out almost "an angel of light" in comparison. If Henry's character is to be urged as an argument against the Protestant Reformation, or against the Church in England, because Henry placed all ecclesiastics under his authority, and himself at the head of the Church in England, we have a right to compare him with the head of the Church of Rome.

The contemporaries of Henry in the papacy were—Alexander VI., Adrian VI., Julius II., Leo X., Clement VII., and Paul III.

Alexander VI. has been compared to Nero, Caligula, Heliogabalus, and Catiline, with all their vices centring in himself. He was devoid of all shame, honour, and religion, and surpassed his predecessors in cruelty, debaucheries, and every species of immorality. His public debaucheries, perfidy, inordinate ambition, insatiable avarice, inhumanity, and irreligion, rendered him the object of execration throughout Europe.* Lucretia was at the same time his daughter, wife, and daughter-in-law.† He purchased the papacy, and then sold its offices and preferments. He murdered the majority of the Cardinals who had raised him to the Popedom, and seized their estates, and divided the spoils among his numerous illegitimate children, for whom, says Moreri,

* "Les débordemens publics, les perfidies, l'ambition démesurée, l'avarice insatiable, la cruauté, l'irreligion, en avait fait l'objet de l'exécration de toute l'Europe."—Daniel, "Histoire," tom. vii. p. 84. Paris, 1729.

† "Alexandri filia, nupta, nurus."—Pontanus, in Bray's "Histoire," vol. iv. p. 280. Hague, 1732.

he exposed to sale all things, sacred and profane, and violated and outraged all the laws of God and man.* He died by drinking poison, which was intended for the Cardinals, whom he had invited to a banquet to murder in cold blood, and handed to him by mistake.

Julius II. was scarcely less atrocious. He bribed the Cardinals to raise him to the papacy. He was guilty of simony, chicanery, perjury, thievery, empoisonment, assassination, drunkenness, impudicity . . . and his constitution was shattered by his excesses.†

Leo X. is supposed to have been the Pope referred to by Mirandula, as having declared the Gospel to be a fable, and even to have denied the existence of a Deity. He was steeped in every vice and iniquity to excess, and spent his days in company of musicians and buffoons.‡

* Moreri, Dict. vol. i. p. 270. Amsterdam, 1688.

† "Tout rongé de vérole."—Bray, *ut supra*, vol. iv. p. 371. "Duobus nobilissimi generis adolescentibus stuprum intulerit."—Wolf, 2, 21; quoted by, and see Edgar's "Variations," &c. London, 1838, pp. 91, 92.

‡ "Non caruit etiam infamia, quod parum honeste nonnullus e cubiculariis ad amare."—Jovius, "Historia," p. 192. Paris, 1553. See Edgar, *ut supra*.

Clement VII. was not so viciously immoral as his predecessors, yet nevertheless Mr. Froude, in his History, speaks of his "infinite insincerity;" that he was "reckless of truth to a degree in which he was without a rival in the world." "He was false, deceitful, treacherous."*

"They are a sweet society of fair ones."†

"Like master, like man." The priests were no better than their supreme bishops were. But why pursue the subject further? Cardinal Bellarmine was constrained to admit that "for some time before the Lutheran and Calvinistic heresies were propounded, there was not (as contemporary authors testify) any confidence in ecclesiastical judgments, and discipline with regard to morals, and knowledge of sacred literature, and reverence for

* Froude's "History of England," vol. ii. p. 232. London, 1858.

† *Henry VIII. Act i. Scene iv.*; and to which we might add, "The devil was amongst them, I think, surely" (*Act v. Scene iii.*)

divine things ; there was scarcely any religion remaining." *

Here, then, were Henry's contemporaries ! If Henry was a monster ; what were these Popes ? The vices of one, we are quite aware, will not excuse or exculpate those of the others ; but if an argument is to be built on Henry's alleged vices, what will be the result of a comparison, when measured by the same standard, and on the same principle ?

Henry, undoubtedly, with all his faults, was a great instrument, under God, to contend against the papacy. God, in his wisdom, has chosen his own instruments to do his work. It required a stubborn, bold, and fearless man to oppose the usurpations and encroachments of the papacy. Such a man was found in our Henry VIII., and he treated the Pope's excommunication with the contempt it deserved.

But let us examine for a moment the alleged characteristics of Henry's disposition.

I. He was a cruel tyrant ; II. and sought

* Bellarmini "Concio," xxviii. Oper. tom. vii. col. 296. Colon. 1617.

only to satisfy his animal passions—a Blue-beard of the sixteenth century.

I. To exemplify the first, a certain class of writers point to the fate, or “murders,” as they call it, of SIR THOMAS MORE, Lord High Chancellor of England, and of FISHER, the Venerable Bishop of Rochester. We are willing to take these two cases, and to examine the circumstances connected with their tragic character, and then let Henry be judged accordingly. They both were consistent, uncompromising adherents of the papacy—Fisher until his later days with unoffending constancy;* but Sir Thomas More, when in power, enforced his own opinions, on matters of religion, on others without even a show of mercy. He was a relentless persecutor and a bigoted papist; he enforced, and even strained the law, by every means, fair or foul, to impose what he called orthodoxy on the people, and in his capacity of Chancellor, exercised his powers beyond their due limits. These acts of cruelty, though perpetrated during Henry’s

* By *unoffending* we mean not forcing his opinions by physical means.

reign, cannot with justice be laid to his door, though they are unfairly ascribed to him. More, on his own authority, committed Phillips to the Tower unconvicted, where he languished for three years, on the unproved charge of his having used unorthodox expressions on Transubstantiation, Purgatory, Pilgrimages, and Confession. Phillips at length appealed to the King, as supreme head of the Church, through the Commons, and obtained his liberty.

Again, More most illegally and unwarrantably committed the "poor bedeman," John Field, to the Fleet, for two years on a private examination by himself of the accused, in violation of the laws of the land, and shamefully illtreated him; and on his obtaining his liberty, he was again imprisoned by More, without trial. With More, heresy (so called) was a crime deserving of death; and, when the seals were intrusted to his hands, Smithfield fires recommenced, the offences being either a denial of Transubstantiation, of the Pope's supremacy, or an accusation of the lewdness of priests. Abjuration or death was More's remedy for heresy. Poor James Bainham, after suffering the "black-hole" of the

Bishop of London, was carried to the private house of Sir Thomas More, where for two nights he was chained to a post and whipped, and subsequently imprisoned and tortured, More himself superintending the application of the rack. Bainham was ultimately burnt as a relapsed heretic by order of More. At the stake he solemnly laid his death expressly to Sir Thomas More, whom he called his accuser and judge. The accusation against him was, that he had said "Thomas à Becket was a murderer,—that he (Bainham) had spoken contemptuously of praying to saints, and saying that the sacrament of the altar was only Christ's mystical body, and that his body was not chewed with the teeth, but received in faith."

But why dwell on such scenes! This was a sample of many similar cases. More was pitiless in condemning what he considered a crime. What reason had he to exclaim against similar acts of others, when, with equal sincerity, they were exercised on himself,—political necessity and national safety dictated the latter course, but mere religious bigotry and intolerance the former.

Sir Thomas More and Bishop Fisher countenanced and encouraged the mad impostor, "the Nun of Kent," who inflamed men's minds with her prophecies against the King, and who, but for a strong arm, would have raised a rebellion in the land, in favour of the Pope. She gave colour to her supposed divine mission by forged miracles, to which she subsequently pleaded guilty. In the bill of attainder against the Nun of Kent and her accomplices, More and Fisher were declared guilty of "misprision of treason." They denied the King's supremacy, and otherwise impeached his title. This was for a warning only, and the King's minister, Cromwell, intimated that the King would accept their apologies. More was pardoned on an evasive explanation, which was accepted; but Fisher was obstinate, and even undertook to justify himself. He still countenanced the conspiracy against the King. He was again urged to apologize, but he again refused, and there was nothing left but to pass the bill for his attainder (6th March, 1534). The Nun was executed for treason, but Fisher, in spite of himself, was still left unpunished. In March,

1534, the bill was passed declaring the marriage with Catherine invalid, and the marriage with Anne was confirmed. It was declared that whosoever impugned by word or deed the legitimacy of the issue of that marriage would be guilty of treason, and a commission was appointed to take the examination of persons who were suspected or would not submit to the Act. This course became necessary, for it was at this time that news of the Pope's decision against the marriage arrived in England, and the Convocation had declared the Pope's authority abolished; and the Bull of excommunication against Henry, which followed, absolved all his subjects from their oath of allegiance to the King, inviting them to rebel against him. A commission sat to receive the oaths of allegiance of all classes holding offices, ecclesiastical and lay, with others holding appointments under the Crown. Fisher and More were required to conform to the law; the oath was read to them,* and

* The following is the oath that was offered to be administered to More and Fisher :—"Ye shall swear to bear faith, truth, and obedience alone to the king's majesty, and

they refused to take it; they were thereupon told, as was the fact, that they were the first

to his heirs of his body of his most dear and entirely beloved lawful wife, Queen Anne, begotten, and to be begotten. And further to the heirs of our sovereign lord, according to the limitation in the statute made for surety of his succession in the crown of this realm mentioned and contained, and not to any other within this realm, nor foreign authority or potentate. And in case any oath be made, or hath been made, by you to any person or persons, that then ye do repute the same as vain and annihilate. And that to your cunning, wit, and uttermost of your power, without guile, fraud, or other undue means, ye shall observe, keep, maintain, and defend the said act of succession, and all the whole effects and contents thereof; and all other acts and statutes made in confirmation or for execution of the same, or of anything therein contained. And this ye shall do against all manner of persons, of what estate, dignity, degree, or condition soever they be; and in no wise to do or attempt, nor to your power suffer to be done or attempted, directly or indirectly, any thing or things, privily or appantly, to the let, hindrance, damage, or derogation thereof, or of any part of the same, by any manner of means, or for any manner of pretence. So help you God, and all saints, and the holy evangelists."

The oath tendered to ecclesiastical bodies seemed to be a little different. There is still existing the oath taken by the priors of the Dominican convents of Langley Regis, of Dunstable, of the Franciscan convents of Ailesbury and de-Mare, the Carmelites of Hecking, of the prioress of the Dominican nuns of Deptford, in the name of themselves and of all the brethren, and made under the respective

to refuse it. They were allowed time for reflection, but they still refused. Cranmer, then archbishop, and Cromwell, the King's minister, made every endeavour to save them. They were both deeply affected in their inter-

seals of their convents. After renewing their allegiance to the King, and swearing to the lawfulness of the marriage of Queen Anne, and to be true to the issue thereof, and that they should always acknowledge the King as head of the Church of England, and that the Bishop of Rome had no more power than any other bishop had in his own diocese, and that they should submit to all the King's laws notwithstanding the Pope's censure to the contrary; they further declare that in their sermons they should not pervert the Scriptures, but preach Christ and his gospel sincerely, according to the Scriptures and the traditions of orthodox and Catholic doctors; and in their prayers, that they should pray first for the King, as supreme head of the Church of England, then for the Queen and her issue, then for the Archbishop of Canterbury and the other ranks of the clergy. Under the signatures is added a declaration that the oath is taken freely and without compulsion. This document bears date the 4th May, 1534. — (See Burnet's "History of the Reformation," vol. iv. Records, b. ii. pt. ii. No. 50.)

It is evident that the great bulk of the ecclesiastical orders were at this time quite glad to free themselves of papal rule and papal exactions. It was not until the dissolution of the monasteries was being carried out that an opposition was got up by the ejected monks, &c.

views with them. More and Fisher were then committed to the keeping of the Abbot of Westminster. They were again examined, and, persisting in their refusal, they were sent to the Tower. Fisher and More refused to do what the bishops and clergy throughout the realm readily consented to do, and who did not thereby consider that they were acting against their conscience. The whole country gladly submitted to the new dispensation, and were happy in their release from Papal tyranny and Papal rule, the clergy being released from onerous pecuniary exactions, the laity from an intolerant priestly despotism. Some few desperate Papists, who openly and deliberately persisted in their disloyalty and treason, were executed. To release such noted men as Fisher and More would have been an injustice to those who suffered. It became absolutely necessary to enforce the act of submission; any hesitation on the part of the Parliament would have lost the advantage gained by the people, and have thrown them back under the power of the Pope. It was now a question who was to rule in England,—the King or the Pope. There was, nevertheless, every desire to spare Fisher

and More. Fisher, in June, 1535, actually wrote a letter to the King, questioning his supremacy. Even this the King offered to overlook if he did not publish it; but Fisher persisted in promulgating his views.

It must be noted that the two illustrious prisoners were not treated as criminals; they were allowed their own attendants, and to correspond with and see their friends; yet even here they did not desist in defaming and slandering the King. They were even engaged while in confinement in schemes of rebellion;* and consequently, in May, 1535, they were again called upon for their submission to the King. A deputation from the Council waited upon them, but they still refused to take the oath. Their trial was delayed to give them a further chance of escape; but the Pope (Paul III.) at this very time most injudiciously, perhaps on purpose to insult Henry, conferred on Fisher the foreign title of Cardinal, which contravened the law of the land, and encroached on the King's just prerogative. This hastened the action of the Council. Being once again, in

* State Papers, vol. vii. p. 635, quoted by Froude.

vain, called upon to submit, Fisher was, on the 17th June, tried and found guilty of treason, and condemned accordingly ; and on the 22nd June was beheaded as a traitor on Tower Hill.


It was a sad spectacle indeed, and one which almost makes us shed bitter tears, to see an old man, already on the verge of death, tottering to the scaffold to lay his head on the block, renouncing the few years—perhaps days—left to him, for a “principle,” the admission or rejection of which could neither affect his own eternal salvation or the good of him for whom he sacrificed himself. The only consolation we have—if it be a consolation at all—is that he died an easy and no ignominious death. He carries with him the sympathies of all. But why is not the same sympathy extended to Cranmer, Ridley, Latimer, and the noble host of Protestant martyrs? They died a cruel death. They, too, were sacrificed—not for a “principle” but—for rejecting a comparatively modern theological speculation referred to below, imposed by the Roman Church for belief as an article of faith, on pain of death, but the rejection of which was a case of conscience, and could affect only the individual !

More's fate soon followed. On the 7th May he was examined. On the 26th June a true bill was found against him. On the 1st July he was brought to the bar. His treason was established; in vain he was again urged to submit; and thereupon the jury found a verdict of guilty, and he was beheaded as a traitor. He was judged by his equals.

“And so his peers, upon this evidence,
Have found him guilty of high treason.”*

We cannot, in the present state of society, measure the justice or injustice of an Act of Parliament which brought these eminent personages to the block. We now hang in cases of murder: this in a future generation may be deemed barbarous. Only a few years ago we hanged for sheap-stealing. Queen Mary, of unhappy memory, seconded, perhaps instigated, by her ecclesiastical advisers, for they in fact ruled, brought to the stake and burnt alive many hundreds for refusing to admit an arbitrary theological proposition (as above hinted), that the consecrated wafer was con-

* *Henry VIII. Act ii. Scene i.*



verted (transubstantiated was the term invented to designate this new doctrine) into the body and blood, bones and sinews,* soul and

* Berengarius, Archdeacon of Angers (A.D. 1059), was compelled by a Roman council, under threat of death, to declare that in the sacrament the body and blood of Christ were there, not only sensibly, but were surely handled by the priest, and *broken and torn with the teeth* of the faithful. The famous Thomas Aquinas (A.D. 1255) defined that the sacrament contained entire Christ, such as bones, nerves, and other parts, which was embodied in the Trent catechism, published in 1564, and is now the admitted theory of the Church, as admitted by Peter Dens, in his "Theologia," the Maynooth text-book. The references are—Berengarius: "Corpus et sanguinem Domini, sensualiter non solum sacramento, sed veritate, manibus sacerdotum tractari, frangi, et fidelium dentibus atteri."—Gratian, Corp. Jur. Can. tom. i. p. 2104, par. iii. dist. 2, c. 42. Paris, 1612. Aquinas: "Continetur totum corpus Christi, scilicet *ossa, nervi*, et alia."—Thos. Aquin. Summa, tom. iii. 2, 76, c. i. Lyons, 1567. Trent Catechism: "Jam vero hoc loco a pastoribus explicandum est, non solum verum Christum corpus, et quidquid ad verum corpus rationem pertinet, velut ossa et nervos, sed etiam totum Christum in hoc sacramento contineri."—Catech. Concil. Trid. pars ii. xxxi. de Euchar. Sacr. Venice edit. apud Aldum, 1582, pp. 241, & 235. Paris, 1848. Dens: "Comprehendens carnem, ossa, nervos, &c."—Dens, Theol. tom. v. p. 276. Dublin, 1832.

It is important to observe that even the English translations put forward by Roman Catholics (for example, the Rev. J. Donovan, Dublin, 1829, p. 226), the words "velut

divinity, of our Lord and Saviour Jesus Christ, and chewed by the recipient, and was the same very God who was born of the Virgin Mary, and suffered on the cross, the elements, bread and wine, ceasing to exist; this alleged wonderful change taking place after a manner they themselves could not at all explain. And they reserved the same punishment for those who denied that the Pope ought to have supreme ecclesiastical jurisdiction in this country, while in the previous reign of Henry the fate of decapitation (a more merciful sentence at all events) awaited those who asserted that the Pope had, or ought to have, any such ecclesiastical and spiritual jurisdiction in this country over the King. Hundreds suffered under Mary's laws; Fisher and More, and a comparatively few others, under Henry's laws.

A martyr to any cause excites our sympathy and commiseration; and to sacrifice life to maintain a principle, however erroneous we may think it, is an act of heroism which with many covers the guilt which provokes the

ossa et nervos," as bones and sinews, are omitted. Are they ashamed of their own church's carnal teaching?

blow. In Fisher we find the martyr sacrificing himself to maintain a principle. He considered himself bound by his ecclesiastical vows, and was firm and consistent to the end. He was comparatively harmless except in maintaining and spreading these opinions, which he in his conscience was bound to do; but this, and his refusal to submit himself to the laws of his country, amounted to treason. He knew the fate that awaited him, and the penalty he had to pay. But as to More we are constrained to view his punishment in another light. While in power he put in action with relentless fury the laws which enabled him to torture and burn those who did not believe an abstract doctrine as point of faith, and those who *denied* the authority of a foreign prince, which was called "heresy." The day of retribution came round, when he forfeited his own life for *maintaining* that same authority which was declared to be "high treason." More may be accounted a martyr by some; but with him the honour was shared by his opponents. He was a victim of retributive justice, and Henry can scarcely be made responsible for the result. More's case is the more conspicuous from his

high position and brilliant accomplishments. But it must be remembered that these very qualities, his very position, would have rendered an evasion of the law in his favour more dangerous to the State. We lament the necessity which gave occasion for such violent measures, but the blame should primarily rest on him who sought to maintain an usurped power in this country, which, as we shall presently see, was so grossly abused.

II. As to the second charge against Henry. It is objected that he had six wives; that he beheaded two of them, and cast off two others. These are pregnant facts, which have branded Henry, in the estimation of posterity, as a cruel and brutal tyrant.

So ingrained and deeply rooted is the prejudice against Henry on this score, that to appear even as an apologist for his conduct would, in the estimation of many, be to condemn the advocate himself! Others smile and shake the head—"Six wives—six wives! two beheaded—two divorces—two divorces! We have, it may be confessed, a start to deal with: surely we may be

inquiry as to the circumstances, so far as they have been handed down to us, and, divested of sectarian prejudices and foregone conclusions, to examine historical facts without being accused of countenancing either vice or immorality.

We do not pretend to justify Henry's conduct; but we do most emphatically deny that there is any evidence by which we can fasten on him the charge of lewdness or immorality, of which he is so freely accused.

If we dispassionately take into consideration the surrounding circumstances, we think that it must be admitted that had we lived in those days we should have judged the King *more* favourably, and have attributed to *him other* motives than those vulgarly laid to *his charge*.

His six wives were:—

1. Catherine of Arragon.
2. Anne
3. Jane
4. Anne
5. Catherine
6. Catherine

1. Catherine

plm

the
pe's

was effected (1503), a union brought about for state or political purposes, and to save a large dowry from leaving the country,—motives over which he could have had no control, and on which he was not asked to give an opinion, and where the affections were not considered. He was compelled to marry his elder brother's widow, a woman much his senior in years. It was an unnatural marriage, believed to be, as we have shown, contrary to the laws of God and man, and opposed by divines and lawyers of the day as immoral and illegal. On coming of age, by his father's command and with the advice of Wareham, Archbishop of Canterbury, who had acted on the King's feelings and conscience, he separated from Catherine (1505), the union being declared contrary to nature and the law of God, as laid down in the book of Leviticus.* On coming to the throne (1509), his Councillors of State, for political reasons alone, induced Henry to renew the marriage. Every child of this marriage in succession died, except Mary, who alone reached maturity, and when she came

* Levit. xviii. 16 ; but see Deut. xxv. 5—10.

to be betrothed to the Duke of Orleans, the treaty, though drawn up, was broken off (1527). Mary being declared illegitimate on the advice of a French archbishop, then ambassador in England—a startling fact—the King was advised that he was living in adultery and incest, and the death of his progeny he believed to be the curse of God on the marriage. United Christendom—all the learned men as well legal as divine, except Fisher and More—pronounced against the validity of the marriage, and the Pope himself signed his consent to the separation and second marriage. The next in succession to the English throne was James of Scotland, the mortal enemy of England; and the entire nation dreaded a renewal of civil wars of succession, from which England had only just recovered, and which, it was believed, would follow if there was no legitimate issue to the Crown. Henry followed the dictates and requirements of the nation in separating from Catherine, and there is not one *iota* of proof that in this he was actuated by any impure motive, or with a desire to rid himself of one wife to marry another; indeed, the Pope's

own legates wrote to inform him that there was no foundation for such a belief. We have devoted a separate chapter to the incidents of this episode in the eventful history of the times. The circumstances, we think, fully exonerate Henry from the charge usually brought against him, for we are now only reviewing the subject in that light. To condemn Henry is to condemn persons of every class and degree throughout Europe.

2. *Anne Boleyn*.—This marriage took place 25th January, 1533. It was early in 1527 that it was brought home to the King, in the most practical shape, that his marriage with Catherine was illegal and void, by the refusal of the King of France to ratify a treaty of marriage between his son and Henry's only child. The country required a legal heir to the throne. Henry, however, abstained from taking a precipitate course. If, as is supposed, the matter rested with himself, and that he was the wicked and unscrupulous tyrant he is represented to be, he might have solved the difficulty, and with it his troubles, taken off the head of his Queen—a proceeding he is supposed by some to have been so partial

to. But he passed through five long and wearisome years—from 1527 to 1533—of patient negotiations with a worthless and time-serving priest, to accomplish that, by a *legal form*, which had been already conceded by the Pope.

Elizabeth was the result of this union.

The duty of a wife is to be chaste, faithful, and above suspicion. Unfaithfulness to the marriage vow in a spouse of royalty was high treason. The punishment of treason was death.

The story is painful and humiliating.

So early as January, 1535, doubts and suspicions of Anne's chastity were raised in the King's mind. In April, 1536, the Council had received evidence which implicated the Queen in a charge of adultery, and a special commission was issued on the 24th, comprising the Lord Chancellor, the Judges, and the first noblemen of the realm. On the 1st of May a tournament was given at Greenwich. At this *fête* the Queen, not aware of the suspicions raised against her, gave unmistakable signs of her partiality for her paramours. This was witnessed by Henry himself, who

hastily retired. These suspicions were now clearly proved to him. Anne and her paramours, Seaton and Morris, were arrested on the 2nd May, 1536. Though she declared her innocence, Seaton confessed his guilt. The King twice offered her her pardon if she would confess her guilt. A special commission was appointed to try the Queen, consisting of the highest and most honourable characters of the realm, including the Lord Chancellor, the Queen's own uncle (the Duke of Norfolk), and the Earl of Wiltshire, the Queen's father.* A true bill was found against her by the grand jury of Middlesex, also by the grand jury of Kent, and the petty jury (12th of May, 1536) found her guilty. None of her accomplices denied their guilt. She and they were beheaded for high treason. If the sentence was unjust, then the Chancellor and Judges, and the long array of illustrious names, were guilty of murder. There is no evidence that they were either coerced or intimidated.

* Some writers attempt to deny that the uncle and father were on the commission. Mr. Froude, we perceive, records it as an undoubted fact.

That Elizabeth was the legitimate daughter of Henry and Anne there can be no doubt. That Anne subsequently fell, we think there can be as little doubt. But her misfortune has given an advantage to the opponents of the Reformation which followed, and we have the sins of the mother visited upon the daughter Elizabeth ; and several additional libels were invented against the former. She, alas ! had quite sufficient to answer for without inventions.

“ Some [Roman] Catholic historians,” says the learned biographer Bayle, “ have given themselves a prodigious liberty to lying against Anne Boleyn, as well through vexation at the schism which she occasioned, as because they were willing to dishonour Queen Elizabeth by that means. They are some of those inconsiderate satirists, who, instead of insisting only upon true matters of fact, have engaged themselves in slanders which may be easily confuted. Their blindness is the more inexcusable, because they might have satisfied their slandering humour without exceeding the bounds of faithful historians. It is pity that the good fortune they have had to find a great

number of obliging transcribers and readers should inspire so many others with the boldness to imitate them. Sanders is the only authority of all the authors who have defamed Anne Boleyn. Those who say that the Protestants ought to blush for being so much obliged to that Queen, who was of their religion, would do well to declare, first of all, that they are very much vexed at the services the Empress Irene did for the cause of images."

3. *Jane Seymour*.—During the trial of the last Queen, circumstances transpired which gave rise to grave doubts as to the validity of the second marriage, and therefore as to the legitimacy of Elizabeth; among other reasons, the supposed existence of a previous contract of marriage entered into by Anne. In the eyes of all "good Catholics," even to the present day, the second marriage with Anne is considered void, and Elizabeth illegitimate. The mere rumour created great consternation throughout the country, as Elizabeth, in that case, could not inherit the crown, which was again supposed to be left open to King James of Scotland. The King was pressed on all sides to marry again. The feelings and

actions of the King have been freely described by *Romancers* ; but it is to be regretted that the morbid delight in “sensation stories” should induce otherwise gifted writers to distort history merely to give a zest to their tale, and it is a lamentable fact that history is too often learnt from Romance. There is no proof other than that Henry acted with becoming dignity on all these trying occasions. The marriage with Jane was a political necessity, but, nevertheless, one of affection. To his great grief Jane died shortly after she had given birth to a son, afterwards Edward VI. This event caused great and unfeigned grief to Henry, and had he been left to his own inclinations, he would not have married again. He repeatedly declared his determination not to marry again ; but it was otherwise fated. In the three years that intervened, the most unscrupulous of his detractors can find no act or indiscretion on which they can fix, or that can call in question his morality. We challenge them to cite one single act of Henry’s during this period to support the charge of the vicious propensity vulgarly attributed to him, and which we are now considering.

4. *Anne of Cleves*.—The child Edward was weak and sickly, and, although extraordinary precautions were taken for his safety, it was not believed that he would live. The Privy Council, so early as Nov. 1537, represented to the King the necessity of his undertaking a fresh marriage while the state of his health left a hope that he might be again a father. It is most certain that the King suffered deeply on account of the loss of Jane, and he shunned the pressing proposals now again attempted to be forced on him. He had consented to his marriage with Jane under an absolute necessity, on the discovery of the complicated treasons of Anne; the obligation was now less considerable, and he hoped to be spared. But the united judgment of the Privy Council urged the necessity,* on account of the youth and sickly constitution of Edward. To these remarks Mr. Froude adds the following just reflections :—

“ Persons who are acquainted with the true history of Henry’s later marriages are not surprised at their unfortunate consequences,

* State Papers, vol. viii. p. 2 ; quoted by Froude.

yet smile at the interpretation which popular tradition has assigned to his conduct. Popular tradition is a less safe guide through difficult passages of history than the words of statesmen who were actors upon the stage, and were concerned personally in the conduct of the events which they describe."

Three years had passed since the death of Jane; the king's health was on the wane. The country had to look only to the sickly Edward as a successor to the crown, or to a civil war if he died. In May, 1539, Anne of Cleves was suggested as a fit person to bring forward, and a favourable opportunity to cement a connexion with the Protestants. Cromwell, the King's prime minister, whose leaning in the direction of the Reformation was apparent, urged the alliance, and Holbein's art was enlisted to impart charms where none existed. It is impossible here to enter on the complications of European politics which forced on the King Anne of Cleves, in preference to the Duchess of Milan, who was also proposed. The unhappy marriage was forced on Henry. Anne arrived in England in December, 1539. The King's word was compromised to the union—

it must take place. He went to meet her at Rochester. The King at first sight was disappointed, if not disgusted ; he was "discouraged and amazed ;" he retired hastily to Greenwich, anxious to escape the projected union, the thought of which was revolting to him. He had been deceived, and now he was to be forced into a marriage repugnant to his feelings.

We must here pause to censure Henry VIII., not on the trite accusation of Henry's supposed vice,* but that he should have permitted himself to be drawn into an alliance which he had so soon after to repudiate. Having engaged in such an alliance, he was bound to abide the consequences. Nevertheless it was, as Mr. Froude quaintly observes, "a cruel

* "Those who insist that Henry was a licentious person must explain how it was that neither in the three years which had elapsed since the death of Jane Seymour, nor during the more trying period which followed, do we hear a word of mistresses, intrigues, or questionable or criminal connexions of any kind. The mistresses of princes are usually visible when they exist ; the mistresses, for instance, of Francis I., of Charles V., of James of Scotland (the contemporaries of Henry). There is a difficulty in this which should be admitted, if it cannot be explained."—(Note by Froude.)

fortune which imposed on Henry VIII., in addition to his other burdens, the labour to him so arduous [if success is to be the measure of our estimation] of finding heirs to strengthen his succession." The matter was too far gone to retreat. The future Queen had arrived at the palace. When informed of her presence, the King said, "I have been ill-treated. If it were not that she is come so far into England, and for fear of making a ruffle in the world, and driving her brother into the Emperor and French King's hands, now being together, I would never have her. But now it is too far gone, wherefore I am sorry." His sentiments were not disguised nor hidden from Anne. He said openly, "If it were not to satisfy the world and my realm, I would not do that I must do this day for none earthly thing." She herself would not accept the hint; she showed throughout a cold heartless indifference (heartless, for such was her nature) not very encouraging to Henry!

The marriage took place, but was never consummated. *

* Strype's Memorials, vol. ii. p. 462; and see State Papers, vol. viii. p. 404.

Stow tells us that from the day of the King's marriage "he was weary of his life."

In July, 1540, a convocation was assembled to investigate the whole matter, and over which Bishop Gardiner presided. The deliberation was assisted by nearly two hundred clergy, and ecclesiastical lawyers were cited to their assistance. They delivered their unanimous judgment in favour of a divorce, on the grounds that, with reference to a previous contract for the marriage of Anne of Cleves, the conditions were unfulfilled as to the required proofs; the enforced consent of the King from external causes; the absence of consummation and other causes affecting the interests of the kingdom, with reference to the succession, and a judgment was given for a divorce, which was signed by two archbishops, seventeen bishops, and one hundred and thirty-nine clergy. This decision (whatever our views may be in the present day, and which we by no means indorse) was considered strictly legal according to the Canon law, and upon which the Court of Rome would have readily acted, had it been consulted, under other circumstances. If precedent could justify this

decision, there are many cases which have issued from the Court of Rome, granted on slighter pretexts than that in question. But then our Romish brethren would object that a necessary ingredient was wanting—the sanction of the Pope to *sanctify* the act!

While it must be freely admitted that such a divorce could in no way exculpate Henry in a moral or religious point of view, though the act itself was countenanced by the entire bench of bishops and by the clergy, politically and of necessity no other course could have been taken; but no criminal desire to be rid of one wife to marry another can, in this case, be imputed to Henry. The Queen expressed her satisfaction with the arrangement, and wrote to her relations, requesting them also to acquiesce. She remained in England as a pensioner, and was well provided for.

5. *Catherine Howard*.—Three years were lost to the country since the death of Jane Seymour, and Henry's health was sinking, and the chances of James of Scotland increasing. The same motives which impelled the Council to hurry on the King to marry Anne of Cleves now induced the King to select

another wife—Catherine Howard—who promised to be a fit and loving partner to the King. Had he been actuated by any other desire than to secure the succession and satisfy the fears and hopes of the nation, there was no necessity on his part to hazard the perils and inconveniences of yet another wife.

He married Catherine in August, 1540. They lived happily until October, 1541. He desired prayers of thanksgiving to be offered up for the happy union. But the King had scarcely returned from a journey from the north, when the bitter and sad intelligence was made known to him that his wife had been unchaste previous to the marriage! The King rejected the announcement as a vile calumny; but, unhappily, the charge proved to be too true, and was confirmed. Subsequently the Queen herself confessed her guilt. This, unhappily, led to further discoveries, which placed her guilt, even after marriage, beyond suspicion. Henry combated the evidence, and shielded the Queen as long as he could. He received the condolence and compassion of all his subjects. The Queen made a full confession of her crime. Henry was

moved to tears, and would gladly have found an excuse to save his Queen ; but it could not be. She and the partners in her guilt were executed for high treason.

6. *Catherine Parr*.—Henry lastly married Catherine Parr, with whom he lived in perfect happiness from 1542 till 1547, when she was left a widow.

Truly we may say that Henry's was a "domestic life unparalleled in English history;" but were the subject suitable to a "popular sketch" like the present, we might prove that licentiousness was not one of Henry's vices. Enough has been said to satisfy most minds that had this been Henry's ruling vice, as usually asserted, he would not have encumbered himself as he had done, but followed the example of contemporary monarchs. An unhappy train of circumstances, a fatality as it were, blighted all his matrimonial alliances, and each one, except that with Anne of Cleves, can receive, if not a satisfactory, at least a reasonable solution ; but we venture to assert that the fact of Henry having married six wives in succession is in itself no justification for his condemnation, much less

a cause of accusation against Henry's morality, and certainly can in no way affect the cause of the Reformation which followed these events. We must repeat that we have no desire or intention either to justify or extenuate Henry ; but we do feel it a duty to divest the subject inseparably connected with Henry's name of that sectarian phase which has been imparted to all the events of his reign to damage or prejudice the Protestant Reformation in this country ; which undoubtedly was greatly accelerated by Henry's defiance of Papal thunders, and the bold front he assumed to break the galling yoke under which the country suffered. With the Papal party supremacy of the Pope is the sum and substance of Christianity,* while, in fact, DOMINION, POWER, and MONEY are the real objects sought to be gained. Having not only stopped the supplies, but also cut the Pope adrift, and proved to him that the barque could sail without his pilotage, the

* "De qua re agitur, cum de Primatu Pontificis agitur ? brevissime dicam de summa rei Christianæ."—Bellarmini "Disp. in Lib. de Sum. Pont." in Præfat. § 2, tom. i. p. 189. Colon. 1615.

first and great step was taken by Henry; the rest soon followed. Hence the bitter and virulent attacks on Henry. With men who thoroughly comprehend the nature and genius of the Reformation which immediately followed this important separation from the spiritual rule of the Pope, the actions and motives of Henry, his vices or otherwise, form no elements, in their estimation, of the justice of, or necessity for, such Reformation. But with weak and unstable minds it is different; they are too often staggered with the first objection raised. "How can that system be of God, or hope to obtain His blessing, which originated in a Henry VIII.—a revengeful, cruel, lascivious tyrant, who severed himself from the 'Catholic Church,' in order that he might, without 'let or hindrance,' gratify his propensities, and established a religion and hierarchy of his own?" This they allege to be the polluted source or origin of the Established Church in this country! and Henry its head and pioneer of the Reformation. And this leads us to our next division.

CHAPTER IV.

HENRY VIII. AS A REFORMER.

"Their clothes are after such a pagan cut, too,
That, sure, they have worn out Christendom."

Henry VIII. Act i. Scene iii.

THE next charge is, that Henry VIII. changed his religion, became Protestant, and was, therefore, excommunicated.

In order to justify this act of the Pope, or, rather, to bring discredit on the Established Church of England and the Protestant religion, they assert that Henry VIII. was the first Protestant and the founder of the Church of England, and the Pope of Rome only excommunicated a heretic. This is a fiction. Dupin, the Roman Catholic historian, testified* that Henry VIII. changed nothing in the faith; and another Roman Catholic historian, Mageoghegan, said† that Henry VIII.

* "Nihil quidem in fide mutans."—Dupin, *Histoire*, 568.
Mag. ii. p. 310, *Histoire*. Paris, 1758.

was not guilty of heresy, but of schism; that he persecuted equally the partisans of both religions. They admit that the Reformation had not appeared in England under Henry, but that this revolution was reserved for the following reign. He rendered himself famous by writing a book against Luther, and was, in consequence, styled "Defender of the Faith."* After his marriage with Anne Boleyn (1533), he passed an Act by which he expressly prohibited the alteration of any one article of the established faith of Catholic Christendom.

Four years after his excommunication he caused to be passed the famous, or, rather, infamous, "Six Articles Act,"† commonly called

* This was in October, 1521. It is an erroneous opinion of some who suppose that Henry was the first king of England who bore this title. Spelman informs us that several of the earlier kings of England had adopted it.

† 31 Henry VIII. c. 14. Cranmer's detractors represent him as being the subservient tool of Henry. This was by no means the case. Cranmer opposed the introduction of this bill with the utmost pertinacity; he was thrice ordered by the King to quit the House in consequence of his opposition to the measure; but he refused, declaring that he was bound in his conscience to stay there and show his dissent.—Collier, pt. ii. b. iii. p. 201 (fol. edit.).

Through his perseverance the Act was subsequently

the "Bloody Articles,"—"a whip with six thongs," says Fuller, "each one as heavily laid on, fetching blood from the backs of poor Protestants;" and it is worthy of remark, that this Act followed immediately after the Act for the general suppression of monasteries. By the "Six Articles Act" all persons who denied the Romish doctrine of Transubstantiation were condemned to be burnt; those who denied communion in one kind, the perpetual obligation of the vows of chastity, private masses, the celibacy of the clergy, auricular confession, were to be accounted felons, and, on conviction, to be put to death and their goods forfeited.

In 1543 Henry revoked his former decrees permitting the Bible to be read by the people; and he now threatened with imprisonment, fines, and confiscations any other than the privileged classes who should presume to read the Scriptures. We are here attributing to Henry himself the acts of his council and

modified. The religious persecutions of this reign are unfairly attributed by Cobbett and others to the advice and instigation of Cranmer; but they are, in fact, attributable to Bishop Gardiner.

ecclesiastical advisers. Bishop Gardiner was the evil spirit who fanned the flame of persecution,—the relentless, persecuting Gardiner!

Hume tells us that Henry left money for masses to be said for delivering his soul from purgatory.*

Dr. Lingard, the Roman Catholic historian, informs us that, in his last sickness, he was “constantly attended by his confessor, heard mass daily in his chamber, and received the communion in one kind.”†

It is important to note, that previous to the closing of the Trent Council in 1563, and the publication of its decrees, and of the Roman Creed, first promulgated in A.D. 1564, when the Church of Rome defined what her belief really was, it was difficult to know what doctrines the Church did teach. What the people were generally taught was an implicit belief in whatever the Church proposed, without any exact knowledge of particulars. The test of a man's faith was submission to the priest. But what constituted a “Catholic” in those

* “Hist. of England,” vol. iii. c. iii. p. 230. London, 1841.

† “Hist. of England,” vol. vi. c. 5, p. 363 (fourth edit.).

days, on admission into the Church by baptism, was a subscription to the Apostles' Creed. Beyond this creed, dogmas existed more or less defined. The real corporeal presence in the eucharist, for instance, had been well defined, and raised to the standard of an obligatory point of faith by the Council of Lateran, A.D. 1214. Purgatory was placed on the Romish pedestal by the Council of Florence, 1439. But the sacraments, as being seven in number, was not defined as an article of faith until the year 1547, at the 7th Session of the Council of Trent. It was an open question at the period we are upon. Invocation of Saints, and the worship of the Virgin Mary, were traditionary customs, and universally practised. So anxious, however, was Henry that he should remain in the orthodox faith, that he ordered a series of questions on the sacraments to be drawn up, and proposed to the Bishops and learned divines, and they were to give their opinions in writing, and which have been preserved. Had there been any fixed code, or an infallible source from which the orthodox doctrine could be ascertained, surely these learned divines, or one of them, would

have appealed to it. There being none, they could only deliver their private opinions. We regret that our space will not permit us to transcribe this interesting, and to us Protestants, important document. It is given in Burnet's Records, book iii. n. 21; but the following questions will give an idea of their nature, as well as the existing doubts (A.D. 1540), on what is now allowed to be a fixed article of faith. We propose to give only the replies of Fisher, Bishop of Rochester, whose orthodoxy is beyond suspicion.

Q. How many sacraments there be by the Scriptures?

A. I think that in the Scriptures be innumerable sacraments, for all mysteries, all ceremonies, all the facts of Christ, the whole story of the Jews, and the Revelation of the Apocalypse, may be named sacraments.

Q. How many sacraments there be by the ancient authors?

A. I think that in the doctors be found many more sacraments than seven; namely, the bread of the catechumens, sign of the cross, oil, milk, salt, honey, &c.

Q. Whether the word sacrament be, and

ought to be, attributed to seven only? and whether the seven sacraments be found in any of the old authors?

A. I think that the name of a sacrament is and may be attributed to more than seven, and that all the seven sacraments be found in the old authors, though all, peradventure, be not found in one author. But I have not read Penance called by the name of a sacrament in any of them.

Q. Whether the determined number of seven sacraments be a doctrine, either of the Scripture or of the old authors, and so to be taught?

A. Albeit, the seven sacraments be, in effect, found both in the Scripture and in the old authors, *and may therefore be so taught*; yet I have not read this precise and determinate number of seven sacraments, neither in the Scripture, nor in the ancient writers.

We thus arrive at the fact, that the belief of seven sacraments, as an article of faith, subsequently made obligatory by the Council of Trent, was not a doctrine of the Church of Rome in 1540. The precise number of seven was first mentioned by Peter Lombard, A.D.

1140. Cassander, an eminent Romish divine, testified that he could not find any one before this date to have suggested seven as the orthodox number.* It was also referred to, but not imposed as a doctrine, at the Council of Florence, A.D. 1439.

It is believed that other doctrinal subjects were submitted by Henry to the same ordeal, but no record of them is extant; for shortly after, and by his direction, the Convocation published certain articles of religion as necessary for salvation to be believed. It first enjoined all the clergy to instruct the people to believe, and defend all things to be true which are comprehended in the canon of the Bible and the three creeds,—the Apostles', Nicene, and Athanasian, and to condemn all things that were condemned by the General Councils of Nice, A.D. 325; Constantinople, A.D. 381; Ephesus, A.D. 431; and Chalcedon, A.D. 451. It defined the sacraments of Baptism, Penance, and of the "Altar" (transubstantiation), and the doctrine of justification, the

* Cassander de Numero Sacrament. art. xiii. p. 951. Paris, 1616.

use of images, the honour due to saints and their invocation, and Purgatory. With regard to the last they add, "it is necessary that abuses be clearly put away which, under the name of purgatory, have been advanced as to make men believe that through the Bishop of Rome's pardon (*i.e.* by Indulgences), souls might clearly be delivered out of purgatory and all the pains of it, or that masses said at *Scala Cœli*, or otherwise, in any place, or before any image, might likewise deliver them from all their pain, and send them straight to heaven ; and other like abuses."

It will thus be seen that, with the "Six Articles Act," and this Declaration of Faith made under the direction and authority of Henry VIII., it can scarcely be said with any propriety that he was a Protestant in any sense of the word ; and no sooner was the declaration published than Gardiner immediately put the "Six Articles Act" into force, to persecute Protestants.

Henry VIII. lived and died a thorough Roman Catholic, holding every single doctrine of that Church admitted as such at that time ; but he claimed, according to the established

law of this country, to be the supreme ruler of Church and State throughout his own dominions. The supremacy of the Pope was no doctrine of the "Catholic Church." Dogmatic claims had been from time to time advanced, and the declaration that the Roman Church was "the mother and mistress of all Churches," and that true obedience was to be given to the Bishop of Rome *as the* [alleged] *successor of St. Peter, the Prince of the Apostles, and the Vicar of Jesus Christ*, was only first made an article of faith and obligatory on members of the Roman Church by the creed of Pope Pius IV., and first published in November, 1564. The then Bishop of Durham, in reply to Cardinal Pole, the Pope's champion, said that to separate from the Pope was not to separate from the unity of the Church; the head of the Church was Christ, and unity was unity of doctrine, to which England adhered as truly as Rome.*

The following rapid sketch will demonstrate that Henry introduced or established no new

* Tunstall to Pole, June, 1536; quoted by Froude, as from Rolls House MSS.

system in centering in himself the supreme authority in ecclesiastical matters, and by placing the Church as well as the State under his own authority.

It is not our intention to support the supposed divine right of kings, or draw an argument from the Jewish dispensation when kings ruled over the Church as well as State, but confine ourselves to Christian customs. It is an undeniable fact that from the establishment of Christianity to the days of Constantine, the first Christian emperor, each particular community was governed by the bishop of its metropolitan Church, who enjoyed a separate and independent jurisdiction. This bishop owned no superior under Christ, the head of all. Acts of overbearing tyranny were from time to time exercised by the bishops of "more potent principalities" over other metropolitan bishops of minor importance; but this interference, principally exercised by the Bishop of Rome (the seat of empire and the largest see), was at once rebuked, and the assumed authority repudiated. Two notable examples may be mentioned. The Eastern Church held the feast of Easter on a different

day from the Western Church; whereupon Victor, Bishop of Rome, took upon himself to censure the Eastern bishops, which at once met with the timely and "sharp rebuke" of Irenæus, Bishop of Lyons.* Again, when Stephen, Bishop of Rome, interfered with the jurisdiction of the African Church on hearing the complaints of some refractory priests of Africa, Cyprian and the African bishops at once met him with a determined protest and rebuke.† The Bishop of Rome, nevertheless, had a bare precedence of honour and rank, on account of the importance of the city itself. When, however, the seat of empire was changed from Rome to Constantinople, the bishop of that see at once arrogantly claimed the supremacy, and assumed the title of Universal Bishop, and it is retained by him up to the present day in all official documents. This assumption was at once opposed by Pelagius II., A.D. 590, and by his successor, Gregory I.,

* Eusebius' "Ecc. History," lib. v. c. 24. Coloniae, 1612.

† Sentent. 87 Episcop.; Synod. Carthag.; Lab. et Coss. Concil. tom. i. p. 786, Paris, 1671; and in Op. Cyprian. vol. i. pp. 229, 230. Oxon. 1682.

Bishop of Rome, who declared that none of his predecessors had assumed such a "new and profane" title; that no single bishop had a right to assume "the wicked appellation;" and that the person who should assume it was the forerunner of Antichrist; and much more to the like effect, deprecating the idea of a supremacy in the Church by one bishop over another.* Despite, however, this strong protest, Boniface III., the second in succession after Gregory, assumed the very same title in A.D. 605.

It is, therefore, an undeniable fact that previous to the episcopacy of Gregory I., called "the Great," no one bishop arrogated to himself a spiritual supremacy, or assumed the title of Universal Bishop of the Catholic Church. It will not be uninteresting to record how it came to pass that spiritual supremacy was recognized in the Bishop of Rome.

At the beginning of the 7th century, about A.D. 607, Phocas obtained the seat of empire by the murder of his predecessor, his wife, and

* These epistles of Gregory are set forth in Labbeus' collection of Councils, tom. v. col. 1027, *et seq.* Paris, 1671.

five children. He made common cause against Cyriacus, Bishop of Constantinople, who refused to recognize him as emperor, in consequence of the crimes by which he obtained his title. The compact entered into between the Emperor and the Bishop of Rome was as follows—that Boniface IV., who had succeeded Boniface III., should recognize Phocas as lawful emperor, and the latter should acknowledge the Church of Rome to be the head of all Christian churches, and the bishop of that see should assume the title of “Universal Bishop,” lately usurped by the Bishop of Constantinople. A spiritual supremacy was thus given and confirmed to the Bishop of Rome by *Imperial* edict, and not by *Divine* right. It is under this title that succeeding Bishops of Rome, up to the present day, have held their usurped spiritual supremacy.

As yet the Bishop of Rome held no temporal rule. It was not until past the middle of the eighth century that a temporal power was added to his spiritual jurisdiction. This was effected by a similar bargain as was struck with Phocas.

It is as well first to observe that previous to

the assumption of the spiritual power by the Bishop of Rome, the protests of Bishops Pelagius and Gregory have afforded us undeniable proofs that previous to the seventh century no single bishop, be he of the Roman or Greek Church, assumed a supreme spiritual power over the whole Church; so also have we a like testimony, afforded also by a Bishop of Rome, that previous to the fifth century, the assumption of temporal power by the Bishop of Rome was directly repudiated by Pope Gelasius, who was Bishop of Rome from A.D. 492 to A.D. 496. Gelasius wrote, or is believed to have written, a treatise entitled *De Anathematis Vinculo*,—on the bond or tie of the anathema. It is one of four tracts composed by him at different times, which are to be found under his name in all the orthodox editions of the Councils, such as Labbeus and Mansi's edition, and Binius, &c. It seems to have been written to explain an expression pronounced by his predecessor against one Acacius, to the effect that he never should, nor ever could, be absolved from an anathema pronounced against him. Though this part is much confused, that which follows is as plain as it is important.

Gelasius in this Tract lays down a clear distinction as then existing between the *temporal* and the *spiritual* jurisdiction of bishops and emperors, or kings. He states that anciently the royalty and priesthood were often united in one and the same person, among the Jews as well as the Gentiles; but that since the coming of Christ these two dignities, and the different powers that attend them, have been vested in different persons; and from thence he concludes that neither ought to encroach on the other, but that the temporal power should be left entire to princes, and the spiritual to priests; it being no less foreign to the institution of Christ for a priest to usurp the functions of sovereignty, than it is for a sovereign to usurp those of the priesthood. This is a very clear statement, and could never have been made by a Bishop of Rome, had he held the modern notions of the present possessor of the Papal see, who now declares that the Temporal is inseparable from, and is necessary to, his Spiritual rule.* It is not, however,

* We think the above declaration so important that we do not hesitate to give the original. We cannot here enter

our task to reconcile Roman inconsistencies ; we shall, therefore, proceed with our narrative.

Pepin, the son of Charles Martel, aspired

into an examination whether the production is a genuine tract from the pen of Gelasius ; it is sufficient for our purpose that it is attributed to him by the canonists of the Church of Rome, and is inserted by them among others attributed to Gelasius. It is also quoted in Bower's "History of the Popes," vol. iv. p. 226. (1750.)

"Quamvis enim membra ipsius, id est, veri regis atque pontificis, secundum participationem naturæ, magnifice utrumque in sacra generositate sumpsisse dicantur, ut simul regale genus et sacerdotale subsistant: attamen Christus memor fragilitatis humanæ, quod suorum saluti congrueret, dispensatione magnifica temperans, sic actionibus propriis dignitatibusque distinctis officia potestatis utriusque discret, suos volens medicinali humilitate salvari, non humana superbia rursus intercipi ; ut et Christiani imperatores pro æterna vita pontificibus indigerent, et pontifices pro temporalium cursu rerum imperialibus dispositionibus uterentur, quatenus spiritalis actio a carnalibus distaret incursibus : et ideo militans Deo, minime se negotiis sæcularibus implicaret : ac vicissim non ille rebus divinis præsidere videretur, qui esset negotiis sæcularibus implicatus, ut et modestia utriusque ordinis curaretur, ne extolleretur utroque suffultus, et competens qualitatibus actionum specialiter professio aptaretur. Quibus omnibus rite collectis, satis evidenter ostenditur, a sæculari potestate nec ligari prorsus nec solvi posset pontificem," &c.—Sacro. Conc. Coll. tom. viii. cols. 93, 94, Mansi (edit. Florent. 1762); and Binius, Concil. tom. ii. par. i. p. 487. Colon. 1618.

to the throne of France, then occupied by Childeric III. He consulted Zachery, Bishop of Rome, and desired to know if it were lawful to depose the then lawful ruler, he being a weak and incompetent prince. Pepin was a daring, adventurous soldier. Zachery saw that he could make use of Pepin to protect himself from the Greeks and Lombards, by whom Rome was threatened, and in A.D. 754 he returned to Pepin the answer he required. Pepin accordingly deposed Childeric, and the Bishop of Rome formally recognized him as emperor. Zachery died. His successor, Stephen, solicited Pepin's aid against the Lombards, confirmed the decision of his predecessor, and absolved him from his oath of allegiance to Childeric, and crowned him king in his stead. In return for this service, and by force of arms, Pepin handed over to the See of Rome the Exarchate of Ravenna and other provinces, and created the Bishop of Rome a *temporal prince* over these states, to which Charlemagne added Perugia and Spoleto, and confirmed in other respects the temporal sovereignty of the Bishop of Rome. Thus was the Temporal sovereignty joined to the spiritual Supremacy in the Bishop

of Rome, the latter being conferred upon him by a murderer, and the former by a usurper. It was shortly after this that the series of noted forged Decretals, which were pretended to have been written by the various Popes whose names they bear, from the earliest ages of the Church, which had in view specially to convey the belief that the temporal as well as spiritual supremacy of the Bishop of Rome was recognized as of Divine origin, established from the time of St. Peter in uninterrupted succession, were issued. These documents had their due effect for the time, but they are now, even by Roman Catholics themselves, universally admitted to be forgeries of the most impudent kind.*


It is a fact that up to the date of the assumption of temporal power by the Bishop of Rome, from the days of Constantine, church authority was centred in, and was under the direction of, the Emperor, a layman, as its head. No General Council could be called without his authority; no bishop could be confirmed in his office without his sanction.

* See Fleury's "Ecclesiastical History," tom. ix. p. 456. Paris, 1769.

The Bishop of Rome, even, could not be consecrated until the Emperor had confirmed the selection. Pelagius II., the predecessor of Gregory I., was not so confirmed, as he was elected during a siege of Rome; but he sent this same Gregory to the Emperor to excuse the act. When Gregory was elected Pope, he petitioned the Emperor not to confirm his own election. The custom was relaxed under Benedict II., but this was in consequence of the power of the East decaying. But when Charlemagne came to the throne, Pope Adrian submitted to his jurisdiction and authority, of not only creating a Pope, but also of investing all archbishops and bishops; and an anathema was pronounced against any that should consecrate a bishop that was not named and invested by the King; and this is duly recognized by the Canon Law of the Church of Rome.*

The rule was kept up with more or less regularity, according to the power or weakness of the reigning Emperor, to the time of Gregory VII. (A.D. 1074), who finally suc-

* Corp. Juris Can. vol. i. dist. 63, c. 22. Paris, 1695.



ceeded in wresting this power from the Emperor.

The Church, therefore, was a hierarchy, having a lay head as its ruler and source of all spiritual jurisdiction. By force and violence, and on the decay of the Eastern Empire, and other causes, this jurisdiction became centred, so far as concerned the Western Church, in Hildebrand, Bishop of Rome, A.D. 1074.

The temporal sovereignty of the Pope was the gift of a temporal prince.

A French emperor gave, and a French emperor again took away.

On the 17th May, 1809, Napoleon issued a decree, professedly acting in this as the successor of Charlemagne, by which he united the Roman States to the French Empire, leaving to the Pope his palace only, and an income of £80,000 sterling, with the bare title of Bishop. The preamble of the decree was grounded on the alleged donation of Charlemagne, "his illustrious predecessor," to the See of Rome; which donation, it was stated, was on the condition of feudal allegiance, Rome being considered as belonging to the Empire. "But the union of the two

powers, temporal and spiritual, having proved a source of perpetual discord, and of never-ending pretensions and assumptions, he, Napoleon, thought proper, for the security of his empire and of his people, to resume the grant of Charlemagne to himself."

On the fall of Napoleon, by the articles of the Congress of Vienna, in 1814, the whole of the Papal States were restored to the Pope, and with them his Temporal power.

The importance of the subject at the present moment must be our excuse for having dwelt so long on this part of our history.

We now come to consider the origin of the Pope's jurisdiction in this country, which will bring us to the question in issue at the period under consideration, whether the Pope or King was the lawful ruler in this country, and whether Henry was either a heretic or schismatic for ousting the Pope and placing himself in authority in his stead. We are naturally brought back to the time of Gregory the Great, who was elected Bishop of Rome A.D. 595, and it was through him that subsequent bishops claim their jurisdiction over the English church and nation.

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Gregory I. was the most consequential bishop in the Western Church. He conceived the ambitious idea of subjugating to his ecclesiastical rule and jurisdiction the British bishops. With this object in view he sent Austin the monk, with about forty followers, to this country. There was then in this country a regularly constituted Christian and Episcopal Church, and which Episcopal Church there is incontestable evidence had subsisted for nearly six centuries previous to Austin's mission. It is a vulgar error to suppose that Christianity was introduced into these islands by the emissaries of Gregory. This figment is not unfrequently set up in order to give a colour to the Pope's preposterous claim to a spiritual jurisdiction over this country by prescriptive, if not by divine right. Some go even so far as to assert that the claim remained unchallenged until the time of Henry VIII., who reversed the order of things till then existing.

The proposition (though put forward with the utmost assurance) is so absurd, that one feels almost ashamed at the present day to

enter on the subject with any show of seriousness.*

No fact in history can be better authenticated than that there has been in this country

* During the Exhibition season of 1851, there was introduced into this country by Cardinal Wiseman a number of Romish ecclesiastics, to preach or otherwise perform missionary labours for the foreigners; among others l'Abbé Miel. The Abbé published two pamphlets, entitled "The Pope and the Holy Scriptures," and "The Pope and the Primitive Church." In page 51 of the latter pamphlet the Abbé deliberately asserts,—“It is to St. Gregory the Great that we are indebted for the introduction of Catholicism into England. About 1200 years since, the reigning Pope adopted a course towards then barbarous Britain, which a pope of the present day has ventured to attempt in civilized England [referring to the *papal aggression*]; with this difference, that those who have been sent by Pius IX. are Englishmen who address themselves to such of their fellow-countrymen as acknowledge his spiritual authority; but when St. Augustine and his companions landed upon British soil, *they did not meet with a single Christian*; they had come to subdue the hearts and conquer for Jesus Christ, and the barbarous Britons of the sixth century received the messengers of Gregory with respect and love; whilst the English Protestants of the nineteenth century are pursuing without intermission the deputies of Pius with hatred and insult.” There is no doubt but that the statement here put forward is the version which is generally accepted and believed in by Roman Catholics.

a regular and independent Christian Church, planted either by the Apostles themselves or their immediate disciples, and which Church was governed by bishops and priests, with an uninterrupted succession from the time of the Apostles.

It is believed that Christianity was first planted in Britain by Paul himself.* Gildas, the earliest of our historians (born A.D. 511), gives the date as A.D. 64. Theodoret, Bishop of Cyrus, the eminent Church historian of the fifth century, and Eusebius, Bishop of Cæsarea, the Church historian of the third and fourth centuries and friend of the Emperor Constantine, the same Constantine who was born in England, who was proclaimed emperor in England, and whose Christian wife, Helena, was also English,—both refer to this event as a fact.

The existence of a Christian Church in Britain was referred to in express terms by numerous early Christian writers; among

* Cardinal Baronius, the famous Romish annalist, thinks that Peter himself first preached the Gospel in Britain. (Ann. 58, n. 51.)

others, we name Tertullian, the Latin father, who flourished about eighty years after the death of St. John; by Origen, of the third century; by Jerome (A.D. 396); Chrysostom, Bishop of Constantinople (A.D. 398); and by several other ancient Christian Fathers. That this Church was fully recognized, we find that it was represented by bishops at the Council of Arles, A.D. 314, and of Sardica, A.D. 359, as appears by their signatures to the acts of these councils.

Our heathen Saxon invaders, who located themselves in the east, principally in Kent, drove the Christians to the west, where at Bangor they established a monastery. When Austin arrived, he found encouragement in King Ethelbert, who, though heathen, was married to a Christian woman.

Austin then had an interview with seven of the British bishops, and several of the learned doctors of the monastery of Bangor. At this interview Austin sought to bring the British bishops into subjection to the Bishop of Rome. They rejected his proposition, alleging that the only supremacy they recognized under Christ was the Bishop of Karlen-upon-Usk (Landaff),

"who, under God, is to oversee us and cause us to keep the way spiritual." To this Austin replied (being baffled of his prize), as recorded by Fede. "If you will not accept peace of your brethren, you will have war with your enemies:" "which threat," adds the historian, "was soon fulfilled in every title as predicted"—in the cold-blooded slaughter of one thousand two hundred unarmed and unoffending monks and priests at Bangor. For the credit of our common Christianity we trust that Austin had no part in the instigation of this crime.

Austin fixed his abode at Canterbury and founded that see and eventually he and his successors converted the Saxons of the East, and subjugated the Church to their rule, continuing in communion with and subject to the Bishop of Rome, whose authority took firmer hold as time advanced. Collier, in his "*Ecclesiastical History*,"¹ accurately describes the relative position of two Christian communions at this period:—

"It is evident that the British Christians

¹ *It is evident that the British Christians* London, 1706.

had the spiritual sovereignty within themselves, were under no foreign superintendency, nor used to apply to the See of Rome to pay their homage to the Pope's primacy, to get their metropolitans consecrated, or receive directions for discipline or government from thence; and, which is more, neither were they declared schismatics for want of this deference and application."

William the Conqueror, however, though he gained his point under the auspices of the Pope, and had established himself as King of England, at once asserted his independence of a foreign power. "I never paid," he said to the Bishop of Rome, "nor will I pay you homage; because I neither paid it myself nor do I find my predecessors paid it to your predecessors," declaring at the same time that none of the bishops of his realm should obey the mandates of the Bishop of Rome. He permitted, however, the Pope to pick up his pence in England, with which modicum of *spiritual gain* he was fain obliged to be content. His successor, "Rufus," in like manner, prohibited all appeals to Rome, as "unheard of in the kingdom, and altogether contrary to

its usages." He and his father both retained the sole power of investing bishops in themselves.

Ever watchful to gain an advantage where the weakness of others gave him the opportunity, the Pope found no difficulty in working on the fears of Henry I. and John, over whom he obtained a complete mastery, and with it an unconstitutional and usurped jurisdiction over the realm. The successors of John, however, knew how to regain their own; the very excess of assumption created the reaction. Edward I. passed several statutes to restrain the exactions of Rome. He passed an Act,* declaring that bishoprics, benefices, and abbeys, being endowed by the King and people of England, of right belonged to them, and that presentments and collections of fines and fees had been usurped and given to aliens, and the prerogatives of the Crown disinherited, and the objects of the endowments perverted. This Act declared "that these oppressions should not be suffered in any manner." This was an exercise of the prerogative of the Crown;

* 25 Edw. I. c. i.

Rome, however, clung like a horse-leech to the patient, and was still sucking the life-blood out of him. Edward III. tried his hand again by an Act wherein he recapitulated the abuses, declaring himself bound by his oath to see the laws kept, and did, with the assent of all the great men and the commonalty of the realm, ordain that the free elections, presentments, and collections of benefices, should stand in the right of the Crown, or of any of his subjects *as they had formerly enjoyed them*, notwithstanding any provisions from Rome. This was called the "Statute of Provisors," which forbade attempts of the Pope to present to benefices in England. This Act declared "that the Holy Church was founded in a state of Prelacy in the kingdom of England by the King and his progenitors, and the counts, barons, and nobles of this kingdom, and their ancestors, for themselves, and for their people, conformably to the law of God." * This was

* 25 Edw. III. c. 4. "Come seinte Eglise estoit foundé en estat de prelatie deins le royaume Dengleterre par le dit Roi et ses projenitours, et countes, barons, et nobles de ce Royaulme et leurs ancestres, pour eux et le peuple, enfourmer de la lei Dieu."

strictly in conformity with the ecclesiastical custom of the early Christian Church. The appointment of all bishops and the convocation of all councils were centred in a lay tribunal, the exclusive prerogative of the Emperor, who was the supreme head of the Church. Those who lay on Henry the charge of schism, for transferring the supreme power or jurisdiction over the Church from clerical to lay hands, must account for this Act of Edward III., and show it to be contrary to the recognised ecclesiastical law of Europe since the days of the first Christian Emperor, Constantine. Edward passed another Act, forbidding appeals and suits instituted beyond seas; all which statutes were subsequently confirmed.* These, again, proving ineffectual to repress the evil, Richard II. † confirmed and ordered to be put in execution, with additional powers, the previous statutes; and in the seventh year of his reign he passed another Act prohibiting aliens holding benefices, &c., without the King's licence, and the King bound himself not to grant licences to

* 38 Edw. III. c. 1.

† 3 Rich. II. c. 3.

foreigners; and by the 12 Richard II., c. 15, incumbents were prohibited from obtaining a confirmation of their titles from Rome, and all causes relating to presentments, &c., were to be tried in England: those who obtained these foreign appointments were called "provisors." By 16 Richard II., c. 5, it was solemnly declared that the Crown of England was, and had been, and should be, free of subjection to the Bishop of Rome, and the lay Lords and Commons resolved to die in defence of the rights of the Crown against the Pope; and the spiritual Lords declared themselves bound to the King by their allegiance. By this Act it was declared, that whosoever contravened this law of the land was to be put out of the protection of the King, and his goods were to be forfeited and his person imprisoned. The writ that was to be prescribed on such occasions commenced with the words "*præmunire facias*," hence the statute was called the "Statute of Præmunire."

The Pope, however, was still at work, and the Cistercian monks procured Bulls of dispensation from Rome; whereupon Henry IV. passed an Act (2 Henry IV., c. 4) declaring

“those Bulls to be of no force; and if any did put them in execution, or procured other such Bulls, they were to be proceeded against, upon the statute against provisors;” and by the 7 Henry IV., c. 8, any licences which had been granted by the King for the executing any of the Pope’s Bulls, were declared of no force to prejudice any incumbent in his right. The perseverance of Rome required a confirmation of all former Acts,* and Henry V.† again declared the Pope’s Bulls and licences to be void.

Thus we perceive that Henry VIII. re-assumed the former prerogatives of the Crown of England, which had been lost or stood in abeyance in consequence of the weakness of intervening monarchs. It is a “weak invention of the enemy” to assert that Henry VIII. severing the knot, thus created the first (so-called) schism in the Church. It was the Pope of Rome who usurped a supremacy to which he was not entitled. He exercised his authority in a manner which reflected no credit on him as a professed Christian bishop,

* 17 Hen. IV. c. 18.

† 4 Hen. V. c. 4.

and his abuses brought upon him the condemnation he deserved.

We cannot pass over this part of our subject without making a few observations on the Supremacy in Ecclesiastical matters which now became vested in the King. This has been "a stumbling-block and cause of offence" to many, who do not rightly understand it, and has been misrepresented by others, for reasons best known to themselves.

When the Parliament of England abrogated the spiritual rule of the Pope in this country, and the headship in Spiritual as in Temporal matters reverted back to the Crown, Henry neither took the office nor exercised the functions of a bishop, but, as was due to his position, and as "fountain of honour," all nominations and investitures were made through him, and by his authority all matters were governed; but as it was explained and agreed to by the bishops, "so far only as was permitted by the law of Christ." * An important

* *Quantum per legem Christi licet supremum caput, &c.* See Collier's *Eccl. Hist.* vol. ii. pt. ii. b. i. p. 62. Edit. folio. London, 1714.

document was issued at the time when Henry assumed his new functions, explanatory of the title conferred on the King, and to avoid misconception. By this the people were informed that—

“The King’s Grace hath no new authority given whereby that he is recognised as Supreme Head of the Church of England; for in that recognition is included only that he have such power as to a king of right appertaineth by the law of God; and not that he should take any spiritual power from spiritual ministers that is given to them by the Gospel. So that these words, that the King is supreme head of the Church, serve rather to declare and make open to the world that the King hath power to suppress all such extorted powers, as well of the Bishop of Rome as of any other within this realm, whereby his subjects might be grieved; and to correct and remove all things whereby any unquietness might arise amongst the people, rather than to prove that he should pretend thereby to take any powers from the successors of the apostles.” *

* Quoted by Froude as from the Rolls House MSS. vol. ii. p. 347. London, 1856.

The document then refers to the former Acts passed in this reign to curtail the abuses and exactions of the Court of Rome and its Bishop, that such acts had been done with the express reservation that no article of religion should be thereby affected or changed, and it protests that no such object was intended.

The adoption of the new title in Henry must, therefore, be understood as assumed with the above declared qualification.

When Queen Mary ascended the throne, an Act was passed renewing in her as a female, all the titles and prerogatives of the late King; and she retained the title of "Supreme Head of the Church of England and Ireland" for nearly a year after her accession.* But when Queen Elizabeth came to the throne, in order to avoid giving offence by a misconception of terms, the title of "Supreme Head" was removed, and "only Supreme Governor of the Realm" substituted,† and this is the only title our rulers have since

* See Noailles' (the French ambassador in England) Despatches, 23rd April, 1554, par Vertot, vol. iii. p. 175. Leyden, 1763.

† 1 Eliz. c. 1.

assumed; and on Elizabeth's accession, the Oath of Supremacy was altered accordingly.

"The Queen," said Bishop Jewel, "is not willing to be styled in speech or in writing the *head* of the English Church; for she says that that dignity has been given to Christ alone, and is not suitable for any mortal."* An admonition was likewise issued by the ministers of Elizabeth, in order to warn the people against malicious misrepresentations, which had been spread abroad, that the Queen challenged authority or power of ministry of Divine Service in the Church:—

"For certainly Her Majesty neither doth nor ever will challenge any other authority than that challenged and lately used by King Henry VIII. and King Edward VI., which is *and was of ancient time*, due to the imperial Crown of this realm,—that is, under God, to have the sovereignty and rule over all manner of persons born within these her realms, dominions, or countries, of what estate, either ecclesiastical or temporal, soever they be, so

* Ep. xiv. ad Bulling, May 22, 1559. "Zurich Letters," first series. Camb. 1842.

as no other foreign power shall or ought to have any supremacy over them.” *

The declaration of the Church of England is clearly expressed in her 37th Article.

“The Queen’s Majesty hath the chief power in this realm of England, and other her dominions, unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign jurisdiction.”

“Where we attribute to the Queen’s Majesty the chief government, by which titles we understand the minds of some slanderous folks to be offended : we give not to our Princes the ministering either of God’s word, or of the Sacraments, the which thing the injunctions also lately set forth by Elizabeth our Queen do most plainly testify ; but that only prerogative, which we see to have been given always to all godly Princes in Holy Scriptures by God himself ; that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or

* Wilkins’ “Concilia,” vol. iv. p. 188.

temporal, and restrain with the civil sword the stubborn and evil doers.

“THE BISHOP OF ROME HATH NO JURISDICTION IN THIS REALM OF ENGLAND.”

The oath of supremacy was abolished in the first year of the reign of William and Mary, so that the royal authority in ecclesiastical matters rests solely on the declaration of the Church as expressed in her “Articles” as above quoted.*

The prerogative vested in the Crown of England was exercised by, and acknowledged to belong to, all Christian princes within their own dominions, until voluntarily relinquished by special concordats with Popes. The Emperor of Austria, under the Imperial Constitution of 16th January, 1783,† held in principle the same spiritual authority. All bishops are appointed by the Emperor; all ecclesiastical statutes and ordinances must be

* This may perhaps account for the great desire evinced by a certain class of ecclesiastics to do away with our “Articles of Religion.”

† See “Catholicism in Austria,” pp. 120—128. London, 1827.

first submitted to the State for approval before publication, extending not only to rescripts or regulations of discipline, but to those which are dogmatical, including Bulls, briefs, &c., of the Pope, and also indults for celebration of any new festival or act of devotion. All pastoral or circular letters of bishops must, in like manner, be submitted, and no excommunications could have effect without permission of the Emperor. And yet Henry is accused of being schismatical for reserving to himself these same privileges. It is notorious that the Gallican Church enjoyed all these liberties, and was jealous of its rights. In Spain, the patronage of all ecclesiastical benefices is primarily in the King, and he presents to all episcopal sees. Papal Bulls are first submitted to the *Regium Exequatur*, and if necessary, to the King's advocate. By the edict of Charles III., published in 1761, and again in 1762, all Bulls, briefs, &c., must be submitted to the civil tribunals under pains and penalties. On founding a Roman Catholic Episcopacy in Russia, by Catherine II., the Pope admitted her supremacy. She reserved to herself the right of nomination of all

bishops, and the Pope submitted to institute on her nomination.*

It is in England alone that the parcelling out of the country into new ecclesiastical dioceses, with the appointment of bishops by a foreign potentate, without permission of the civil government, would be tolerated.

To represent Henry, therefore, as assuming any peculiär prerogatives, as introducing a new order of things, forming a new sect or community, is a manifest perversion of the truth.

To *reform* is to correct existing abuses. To say that Henry was a reformer in this respect, is true; but the religion of the country was

* See "The Report from the Select Committee appointed to report the nature and substance of the laws and ordinances existing in foreign states, representing the regulation of their Roman Catholic subjects in ecclesiastical matters, and their intercourse with the See of Rome, or any other foreign ecclesiastical jurisdiction, ordered to be printed by the House of Commons, 25th June, 1816." This Report shows that, notwithstanding the virtual abrogation of the Pope's spiritual jurisdiction in this country, even at the present day, the British Empire is the only one in Europe now open to the laws of the Papacy.—See MacGhee's "Laws of the Papacy," London, 1841.

left untouched. Henry first judiciously pared down numerous existing abuses in the Church in this country, practised under the direction of the Pope, as we shall see in our next chapter, and eventually the country was contented to be relieved of the Spiritual supervision of the Pope, and was quite willing to accept Henry. It is this dissolution of partnership with the Pope that is called a *schism*, the bringing back the English Church to her original discipline and independence.

CHAPTER V.

HENRY'S MOTIVES AND JUSTIFICATION FOR
THROWING OFF THE POPE'S USURPED POWER.

"If we live thus tamely
To be thus jaded by a piece of scarlet,
Farewell Nobility!"—*Henry VIII. Act iii. Scene ii.*

"He's a rank weed,
And we must root him out."
Henry VIII. Act v. Scene i.

WE now come to the last, and perhaps the most important part of our subject, namely, Henry's motives and justification for throwing off Rome's galling yoke, and declaring himself and the country independent of the Pope. We propose to consider how far the charge of schism made against him is well founded, taking into consideration the facts stated in our last chapter, and the times and the circumstances surrounding Henry, as also the actual state of ecclesiastical rule as he found it when he came to the throne.

In order to understand the case, we must appreciate the assumed power of the Pope, and the position of the Church in England.

Every Roman Catholic acknowledges the Roman Church to be the mother and mistress of all churches, and he promises and swears true obedience to the Pope of Rome, as the Vicar of Christ. And by the Papal law, they claim every baptized person to be, *ipso facto*, subject to the Pope of Rome. The Pope of Rome arrogates to himself the headship not only of all churches, but a supremacy over every baptized individual ; and he exacts from all a true obedience. What that true obedience is we shall presently see. But, although such powers are, at this day, merely nominal, the Bishop of Rome has never renounced or relinquished these prerogatives. Nevertheless, the power and despotism, temporal as well as spiritual, of the Popes of Rome, in the Middle Ages, were realities, from which we, in England have, thank God, since the time of Henry VIII., with a slight intermission, emancipated ourselves ; and our liberties have been preserved to us, sealed with the life blood of our Reformers.

The nature of the supremacy assumed by the Popes may be gathered from a few extracts we have made from authentic sources. Pope Clement III., in his address to the Emperor Constantine, compares himself with the sun, and the Emperor with the moon.*

“God,” said he, “made two great lights in the firmament of heaven; the greater light to rule the day, the lesser light to rule the night; each of them great, but one the greater of the two. For the firmament of the heaven, therefore,—that is, of the universal Church,—God made two great lights, that is, he appointed two dignities, which are the pontifical authority and the kingly power. But that which rules the day, that is to say, spiritual things, is the greater, and that which rules carnal things, the lesser; so that the same difference may be discerned between the Popes and Kings as between the sun and moon.”

He then gives some of his astronomical calculations:—

“Since, therefore, the earth is seven times

* *Decretales D. Greg. p. ix. Taurini, 1621. De majoritate et obedientia, tit. 33, p. 424.*

greater than the moon, and the sun is eight times greater than the earth, therefore the pontifical dignity is forty-seven times (*quadragesies-septies*) greater than the regal."

And, again, Pope Innocent III., writing to Peter, Bishop and scholastic of Moguntum, thus defines his own powers :—*

"The Vicegerent of the true God "..... Hence he is said to possess a divine judgment.....and, therefore, he even changes the nature of things, and may construct new laws; and he can do these things, because his will stands for reason; for he can dispense with holy laws, and he also can convert righteousness into unrighteousness by converting and changing ordinances."

The decree of Pope Boniface, A.D. 1294 :—

" We declare, affirm, decree, and pronounce, that it is altogether necessary to salvation for every human creature to be subject to the Roman Pontiff."†

Again :

" It is right that one sword should be under

* Ibid. lib. i, de Translatione Episcop. tit. 9.

† Corp. Juris Can. a Pithæo, vol. ii. folio. Paris 1695, and Extrav. Com. lib. i. tit. 8, cap. i.

another, and that the temporal authority be subject to the spiritual."

Pope Nicholas, in his letter to the Emperor Michael, does not hesitate to call himself a *God*.*

"It may very evidently be shown that the Pope, who was called *God* by Prince Constantine, can neither be bound nor released by the secular authority; for it is manifest that God cannot be judged by man."

When Alexander VI. made his entrance as supreme Pontiff into the Church of St. Peter, at Rome, on one of the triumphal arches was inscribed:—

"Rome was great under Cæsar, but now she is greatest. Alexander the Sixth reigns; the former was a man, the latter is a God."†

Of the manner of asserting this right over temporal sovereigns we have several instances, by Popes taking upon themselves to excommunicate princes. For instance, the Bull of

* *Decretum Gratiani, &c.* Taurini, 1620. *Decr. prima pars, distinctio 96, cap. 7.*

† *Cario, Storia di Milano, par. 7, p. 888.* See Roscoe's "*Life of Leo X.*" account of inauguration of Alexander VI.

Pope Sixtus V. against Henry, king of Navarre, and the Prince of Condé, thus commences :—

“ The authority given to Peter and his successor, by the immense power of the eternal King, excels all the powers of earthly Kings and princes. It passes uncontrollable sentence upon all ; and if it find any of them resisting God’s ordinance, it takes a more severe vengeance on them ; and casting down the most powerful from their thrones, tumbles them down into the lowest parts, as the ministers of the proud Lucifer.”*

And to take another sample from the Bull of Pope Pius V., hurled against our Queen Elizabeth, entitled “The Damnation and Excommunication of Elizabeth, Queen of England, and her Adherents :”†—

“ He that reigneth on high, to whom is given all power in heaven and on earth, hath committed his one holy Catholic Apostolic Church, out of which there is no salvation, to one alone upon earth, namely, Peter, the chief of the Apostles, and to Peter’s successor, the

* Quoted by Barrow in his “Pope’s Supremacy.”

† Mag. Bull. Rom. (Luxemburg, 1727), tom. ii. p. 324.

Bishop of Rome, to be by him favoured with plenary authority. Him alone hath he made prince over all people and all kingdoms, to pluck up, destroy, scatter, plant, and build."

And from the fulness of his alleged Apostolic power, he declared Elizabeth a heretic and excommunicate; and he absolved all her subjects from their oaths of allegiance.

In like manner Pope Gregory VII. excommunicated Henry III.; Calixtus II. executed a similar office upon Henry IV.; Hadrian IV. upon Frederick; Celestine III. upon Henry V.; Innocent III. on Otho; Honorius III. and Gregory IX., and Innocent IV. upon Frederick II.; Paul III. ejected and anathematized Henry VIII.,* and ordered his nobles to rebel against him; and, as we have said, Pius V. damned and excommunicated Queen Elizabeth. Paul V. and Clement X. anathematized all Protestant princes and subjects as heretics, who were declared incapable of possessing any civil power or rights; and were made amenable to temporal penalties, even to death.

Popes not only claimed a power to depose, but to establish and give away kingdoms.

* We give this document in the Appendix.

Pope Adrian gave to Henry II., king of England, the whole of Ireland, and thus Ireland became dependent on England; and a Spanish general claimed, under the title of a Papal Bull, the whole of America, from Canada to Cape Horn. Gregory VII. gave away the kingdom of Rodolphus, duke of Suabia.

We find in the Roman canon law* an assertion of the Pope's own powers, which are rather startling. On the subject of "oaths of allegiance," we read:—

"The Roman pontiff absolves from the oath of allegiance, when he deposes any from their dignity."†

"The pontifical authority absolves from the oath of allegiance."‡

"The same is done *frequently* by the holy Church, when it releases *soldiers* from the obligation of their oaths."§

"Oaths of allegiance to excommunicate persons are void."§

"No one owes allegiance to any excommunicate persons before they are reconciled to the Holy See."§

* Lipsiæ, edit. 1839.

† Decret. pars II. c. xv. Q. vi. p. 647. ‡ Ibid. p. 648.

§ Ibid. Extrav. Commun. lib. i. tit. viii. vol. ii. p. 1159.

“No oaths are to be kept if they are against the interests of the Church of Rome.”*

“Oaths which are against the interests of the Church are not to be called oaths, but perjuries.”†

“We declare that you are not bound by your oath of allegiance to your prince, but that you may resist freely even your prince himself, in defence of the rights and honours of the Church, and even of your own private advantage.”‡

“The kingly power is subject to the pontifical, and is bound to obey it.”§

“Whoever resists this power resists the ordinance of God.”||

Cranmer undertook to examine the canon law, and made a collection of passages for the purpose of showing the necessity of reforming it.¶

* Ibid. Extrav. Commun. lib. i. tit. viii. vol. ii. p. 1159.

† Ibid. Decret. Greg. IX. lib. ii. tit. xxiv. cap. 27, vol. ii. p. 358.

‡ Ibid. cap. xxxiv. p. 360.

§ Ibid. Decret. Greg. IX. lib. i. tit. xxxiii. cap. 6, vol. ii. p. 190.

|| Ibid. Extrav. Commun. lib. i. tit. viii. vol. ii. p. 1159.

¶ See Burnet's "History of the Reformation," Records, No. xxviii. vol. iv. b. iii. Nares' edit. 1830.

The following is a copy of the extracts made by him, and which, we should observe, are also to be found in this same law of the Roman Church, binding on every single member of it at the present day:—

He that acknowledges not himself to be under the Bishop of Rome, and that the Bishop of Rome is ordained by God to have primacy over all the world, is a heretic, and cannot be saved, nor is not of the flock of Christ.

Princes' laws, if they be against the canons and decrees of the Bishop of Rome, are of no force or strength.

All the decrees of the Bishop of Rome ought to be kept perpetually by every man, without any repugnancy, as God's word spoken by the mouth of Peter; and whosoever doth not receive them, neither the Catholic faith avails them, nor the four Evangelists, but they blaspheme the Holy Ghost, and shall have no forgiveness.

All kings, bishops, and noblemen that believe or suffer the Bishop of Rome's decrees in any thing to be violate, be accursed, and for ever culpable before God, as transgressors of the Catholic faith.

The See of Rome has neither spot nor wrinkle in it, nor cannot err.

The Bishop of Rome is not bound to any decrees, but he may compel as well the clergy as laymen to receive his decrees and canon law.

The Bishop of Rome hath authority to judge all men, and specially to define the articles of faith, and that without any council, and may absolve them that the council has damned; but no man hath authority to judge him, nor to meddle with anything that he has judged, — neither emperor, king, people, nor the clergy; and it is not lawful for any man to dispute his power.

The Bishop of Rome may excommunicate emperors and princes, depose them from their states, and absolve their subjects from their oaths and obedience to them, and so constrain them to rebellion.

The Emperor is the Bishop of Rome's subject, and the Bishop of Rome may revoke the Emperor's sentence in temporal causes.

It belongs to the Bishop of Rome to allow or disallow the Emperor after he is elected; and he may translate the Empire from one region to another.

Nothing may be done against him who appeals to Rome.

The Bishop of Rome may be judged of none, but of God only ; for although he neither regard his own salvation, nor no man's else, but draw down with himself innumerable people by heaps unto hell ; yet may no mortal man in this world presume to reprehend him ; forso-much as he is called God, he may not be judged by man, for God may be judged by no man.

The Bishop of Rome may open and shut heaven unto men.

The See of Rome receiveth holy men, or else maketh them holy.

It appertaineth to the Bishop of Rome to judge which oaths ought to be kept, and which not.

The Bishop of Rome may absolve subjects from their oath of fidelity, and absolve from other oaths that ought to be kept.

The Bishop of Rome is judge in temporal things, and hath two swords,—spiritual and temporal.

The Bishop of Rome may give authority to arrest men, and imprison them in manacles and fetters.

The Bishop of Rome may compel princes to receive his legates.

Laymen may not be judges to any of the clergy, nor compel them to pay their undoubted debts; but the bishops only must be their judges.

A layman being robbed, may arraign his adversary before a spiritual judge, whether the lords of the Feod consent thereto or not.

A layman may commit his cause to a spiritual judge; but one of the clergy may not commit his cause to a temporal judge, without the consent of the bishop.

All they that make, or write, any statutes contrary to the liberties of the Church; and all princes, rulers, and counsellors, where such statutes are made, or such customs observed, and all the judges and others that put the same in execution, and where such statutes and customs have been made and observed of old time, all they that put them not out of their books are excommunicate, and that so grievously, that they cannot be absolved, but only by the Bishop of Rome.

The clergy, to the relief of any common necessity, can nothing confer without the con-

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sent of the Bishop of Rome ; nor is it lawful for any layman to lay any imposition of taxes, subsidies, or any charges upon the clergy.

The clergy ought to give no oath of fidelity to their temporal governors, except they have temporalities of them.

Princes ought to obey bishops, and the decrees of the Church, and to submit their heads unto the bishops, and not to be judge over the bishops ; for the bishops ought to be forborne, and to be judged by no layman.

All manner of causes, whatsoever they be, spiritual or temporal, ought to be determined and judged by the clergy.

No judge ought to refuse the witness of one bishop, although he be but alone.

Whosoever teaches or thinks of the Sacraments otherwise than the See of Rome teaches and observes, and all those that the same see judges heretics, are excommunicate. And the Bishop of Rome may compel by an oath all rulers and other people to observe, and cause to be observed, whatsoever the See of Rome shall ordain concerning heresy, and the fautors of heresy ; and who will not obey he may deprive them of their dignities.

We obtain remission of sins by observing certain feasts, and certain pilgrimages in the jubilee, and other prescribed times, by virtue of the Bishop of Rome's pardons.

He is no man-slayer that slayeth a man which is excommunicate.

A penitent person can have no remission of his sin but by supplication of the priests.

This was the law to which all England was subject until Henry VIII. threw off the Pope's spiritual rule. This is the law Cardinal Wiseman desired so earnestly to bring back into England, when substituting an Hierarchy for the Bishops Apostolic as previous to the so-called "Papal Aggression" in 1850. This is the law to which all Roman Catholics at the present day are subjected. Can any Englishman who is, or deems himself to be, bound by this canon law, consider himself a subject of the King of England? And does not the very recital of the law to which Henry was called upon to submit, present sufficient justification for the steps he took in order to free himself from its operation? Is there a Roman Catholic layman of the present day who would desire to

submit to the spiritual rule of the Pope in this country with the conditions Henry VIII. found inseparably connected with it, as enumerated in the above extracts from the Papal Canon Law which governs the Roman Church? We think not.

It will be admitted that these are rather startling powers to be assumed by one individual; and that he was a bold man who resisted them.

There were two such men in Europe at the period in question,—Henry VIII. of England and the Emperor Charles V.

But the matter did not rest with the supreme ruler of the Church of Rome: each priest, in his district, assumed powers superior to those of the secular rulers. The clergy asserted a complete immunity from the administration of secular justice. They were only amenable to the Church, and the courts of the King could not call them personally to account for any enormity. Whatever crimes they might perpetrate, whatever disorders they might commit, whatever evil example they might set before the community, they could laugh to scorn the powers of national law, as long as

they enjoyed the Papal favour. Not only were they thus secure in their own persons, but they were the guardians of all the villains in the land; for every church, with a certain space around it, was a sanctuary of refuge; and if the thief, the murderer, or the robber, could get within the line of protection, the officers of justice were set at nought; and thus the priests became the standing obstacles to right, and the safeguard of the grossest iniquity. Our Henry VII. presented urgent petitions to the Pope to do away with this nuisance, but without success. The statute 1 Henry VII. c. 4, was passed to punish lewd priests and monks. Before this, bishops, even, had no power to punish priests, though convicted of adultery or incest. In his first parliament Henry VII. made another step in advance to mitigate the evil by lessening the privileges of the clergy. He enacted that all clerks convicted should be branded on the hand: this did not prove a sufficient restraint. It was further enacted that all murderers and robbers should be denied the benefit of the clergy; but the Lords (governed by priestly influence) specially exempted from the operation of the first law

all such as were within the holy orders of bishop, priest, or deacon; and the second was postponed until the following session before it was allowed to come into operation. Priests considering their liberties were in danger, rose up in arms, declaring that their privileges were invaded, and through their influence the statute was not revived by the fifth parliament. The Abbot of Winchelcomb declared in a sermon delivered at Paul's Cross, that the Act was "contrary to the law of God, and to the liberties of the Holy Church; and that all who assented to it, as well spiritual as temporal persons, had, by so doing, incurred the censures of the Church!" And the subject created a great disturbance both in and out of the House.

Further, the country was overrun with monasteries and other ecclesiastical establishments of enormous wealth; the monks and priests held in their hands the greater part of the wealth of the country derived from land. So early as 1360, the popular voice was raised against the monasteries. Wycliffe* denounced

* Froude's "History of England," vol. ii. p. 411. London, 1858.


their existence as intolerable. In 1400, the House of Commons petitioned Henry IV. for the secularization of their property; and, to appease the public indignation, more than one hundred were suppressed,—an ineffectual warning to the rest,—and their possessions given to the King and his heirs. In 1489, at the instigation of Cardinal Morton, Archbishop of Canterbury, Pope Innocent VIII. directed a general investigation throughout England into the conduct of the regular clergy, with powers to correct and punish. The systematic vice and dissipation is described to be something too shocking to dwell upon. In 1511, another ineffectual attempt was made to apply the moral besom; and, twelve years later, Wolsey tried his hand at a reformation of morals and ecclesiastical abuses, but failed. At length, in 1535, Henry seriously set to work to cleanse the Augean stables. He issued a commission, with a power to liberate all below twenty-one years of age, who desired to free themselves from these ecclesiastical prison-houses. The commissioners reported that many poor wretches who were above the age indicated, most piteously implored the commissioners to free them

from their incarceration, revolting against these moral charnel-houses ; and Wolsey reported to the Pope the frightful state of depravity which was brought to light. Mr. Froude says of the Report : " If I were to tell the truth, I should have first to warn all modest eyes to close the book, and read no further." The full report of this visitation is lost. Burnet informs us that he had seen an extract from a part of it concerning one hundred and forty-four houses that contained abominations in it equal to any that were in Sodom. In the confessions made by the prior and Benedictines of St. Andrew, in Northampton, "in the most aggravating expressions that could be devised, they acknowledged their past ill life, for which the pit of hell was ready to swallow them up. They confessed that they had neglected the worship of God, lived in idleness, gluttony, and sensuality." The report was called the *Black Book* ; hence, the origin of the expression ; and when laid before the House, there was one universal shout of "DOWN WITH THEM." But Henry gave them a chance, and with his own hand, probably assisted by the much-maligned Cromwell, prepared a Code of Regulations for

the guidance of all ecclesiastical establishments, which was a wonderful production, characterized by strong common sense, piety, and moderation.

Among other regulations, Henry prescribed that "women of whatever state or degree" should be wholly excluded from the monasteries; that the monks of each establishment should all dine together, "soberly and without excess, with giving due thanks to God;" that the president and his guests should have a separate table, but that "not over sumptuous and full of delicate and strange dishes, but honestly furnished with common meats;" thus cutting at once to the root of their leading vices. After admonishing them not to encourage "valiant, mighty, and idle beggars and vagabonds, as commonly use to resort about such places," they were enjoined to distribute alms "largely and liberally," in accordance with the directions of the statutes founding the monastery; that the monks were to have single beds, and any boy or child was forbidden to associate with the monks, "other than to help them to mass." No man was

allowed to wear the habit of the order under twenty-four years of age: that “they entice nor allure no men with suasion and blandishments to take the religion upon him; *item* that they shall shew no reliques, or feigned miracles, for increase of lucre; but that they exhort pilgrims and strangers to give that to the poor that they thought to offer to their images or reliques.” That men “learned in good and holy letters” be kept in each establishment to teach others, and that every day for the “space of one hour a lesson of Holy Scriptures be kept in the convent, to which all under pain shall resort;” and that the brethren “after divine service done, read or hear somewhat of Holy Scriptures or occupy himself in some such honest and laudable exercise.” We then have the following direction, which we are sure our readers will excuse us for transcribing:—“Also, that all and every brethren of this house shall observe the rules, statutes, and laudable customs of this religion, as far as they do agree with Holy Scriptures and the Word of God. And that the abbot, prior, or president of this monastery, every



day shall expound to his brethren, as plainly as may be, in English, a certain part of the rule that they have professed, and apply the same always to the doctrine of Christ, and not contrariwise; and he shall teach them that the said rule and other their principles of religion (so far as they be laudable) be taken out of Holy Scripture; and he shall show them the places from whence they were derived; and that their ceremonies, and other observances of religion, be none other things than as the first letters or principles, and certain introductions to true Christianity, or to observe an order in the Church. And that true religion is not contained in apparel, manner of going, shaven heads, and such other marks; nor in silence, fasting, up-rising in the night, singing, and such other kind of ceremonies; but in clearness of mind, pureness of living, Christ's faith not feigned, and brotherly charity, and true honouring of God in spirit and verity: and that those above-said things were instituted and begun, that they being first exercised in these, in process of time might ascend to those as by certain steps, that is to say, to the chief point

and end of religion; and therefore let them be diligently exhorted, that they do not continually stick and surcease in such ceremonies and observances, as though they had perfectly fulfilled the chief and outmost of the whole true religion; but that when they have once passed such things, they endeavour themselves to higher things, and convert their minds from such external matters to more inward and deeper considerations, as the law of God and Christian religion doth teach and show. And that they assure not themselves of any reward or commodity any wise, by reason of such ceremonies and observances, except they refer all such to Christ, and for His sake observe them; and for that they might thereby the more easily keep such things as He hath commanded, as well to them as to all Christian people." *

Had Henry been the headstrong, impetuous tyrant too frequently represented, or had he

* The entire document, with many others on the same subject, is given in Burnet's "History of the Reformation," vol. iv. Records, b. iii. No. II. p. 77 *et seq.* Nares' edition, 1830.

been actuated by the sordid desire of gain, to appropriate to himself and his favourites the wealth of these monasteries, his forbearance, and anxiety to reform these monastic establishments was a strange mode of giving effect to these propensities. But Henry's forbearance was of no avail; he might as well have attempted to tame the zebra or bridle the unicorn as to reform the monastic establishments. The evil was beyond reformation. The minor monasteries, the mortified members, were first lopped off. This warning was not appreciated; and, eventually, by one universal consent of the nation, Henry VIII. swept away the plague-spots from the land,—and for which let us thank God,—retaining only the universities and a few leading establishments, exceptions to the general rule.

Besides these evils, the supremacy of the Pope operated directly upon the wealth of the country. Enormous sums were annually carried out of the kingdom to Rome, in the shape of Peter's pence, first-fruits, offerings, annates, fees, and more particularly in causes carried to the appellate jurisdiction of Rome. Take one example of this: Cardinal Wolsey

took with him to Rome, as before stated, £240,000 sterling (a sum at that time of far greater value than at present), in order to carry on the suit of divorce of Henry VIII. and Catherine.

Matthew Paris and Fleury give us a sad picture of the miseries entailed by this system. The English presented petitions to the Pope to mitigate the evil; and first Matthew Paris records that—

“The extortions and abuses becoming so oppressive and unbearable, the nobles appealed to the Papal court for redress, complaining, among other things, that all the best benefices were given to Italians, who did not know the language of the country. ‘But now, behold’ (they exclaimed), ‘in addition to the aforesaid subsidies, the Italians, whose number is now infinite, are enriched in England by you and your predecessors, who have no consideration for us, in churches; leaving the above-mentioned religious persons, whom they ought to defend, defenceless, having no cure of souls, but *permitting rapacious wolves to disperse* the flock and seize the sheep.’” One of their grievances is

thus specially referred to: — “Also it is aggrieved in the general taxes collected and imposed *without the* consent and will of the King, against the appeal and opposition of the King’s commissioners and all England.”

Matthew Paris gives us the Pope’s answer: “The Lord Pope, gathering courage from the past, to trample under foot the poor English, imperiously, and even more imperiously than usual, demanded of the English prelates, that all the beneficed clergy in England, who resided on their livings, should confer one-third part of their livings on the Lord Pope; and that those who did not reside, should grant one-half.” *

Fleury, in his Ecclesiastical History, † says, “England fatigued and exhausted by Rome’s exactions, began to speak and complain like Balaam’s ass, overpowered with blows.” The same historian, Fleury, further informs us that “the Pope, annoyed at the firmness with which the Archbishop Serval refused to confer the best benefices of his Church on un-

* Matthew Paris, p. 716, Hist. Ang. edit. 1640.

† Lib. 82. Nismes, 1779.

worthy and unknown (*indignes et inconnus*) Italians, caused him to be excommunicated by bell, book, and candle, in order to intimidate him by this degrading censure."

England afforded to the Popes a rich prize, a golden harvest; it was to them, as Innocent IV. testified, "a very garden of delights, an inexhaustible well."*

Such was the state of things when Henry VIII. came to the throne of England. He ascended that throne under the patronage of the Pope of Rome, and shortly afterwards obtained the title from him, of "Defender of the Faith." He left it under the ban of his curse and excommunication; not because he had changed his religion, but because he refused to acknowledge the Pope to have a supreme power in these realms;—because he re-asserted the dignity belonging to the title of "King of England," as Supreme Ruler of this realm,—because, at least principally because, he deprived the Pope of his opportunity to plunder, and his liberty or power of working on the feelings and fears of the people.

* Matthew Paris, "Historia Angliæ," p. 705, edit. 1640.

"By means of this alteration of religion (*i. e.* the removing the supremacy of the Bishop of Rome)," writes Camden, "England, as politicians have observed, became, of all the kingdoms of Christendom, the most free, the sceptre being, as it were, delivered from the forraine servitude of the Bishop of Rome, and more wealthy than in former ages, an infinite mass of money being stayed at home, which was wont to be exported daily to Rome, being incredibly exhausted from the commonwealth for first-fruits, pardons, appeals, dispensations, bulls, and other such like." *

Henry VIII. freed this country from priest-rule and its consequent and inseparable corruptions, not by any sudden action or caprice, but by well-considered and well-digested salutary laws. One of our historians † has very aptly observed that the cause which Henry was impelled onwards to lead, was the cause of human nature, human reason, human freedom, and human happiness. It was an

* Camden's "Elizabeth," b. i. p. 20. London, 1635.

† Sharon Turner's "Modern History of England," vol. ii. pp. 355-6. London, 1835.

effort to rescue England, and consequently mankind, and the mind and worship of religion itself, from sacerdotal despotism; to liberate society from the oppressing and debilitating dominion of dictating and inquisitorial priests, intruding both into domestic and civil concerns; interposing themselves between the Creator and his creatures. Though Henry did not foresee or even contemplate the consequences of his acts; reformation was effected step by step, by carefully-weighed Acts of Parliament, all which were prepared, if not by himself, *manually*, certainly under his dictation and supervision.

The first step taken by Henry to bring about this great reformation was, to clip the wings of the clergy. In 1529 he mitigated one great abuse, by causing an Act* to be passed, by which spiritual persons were debarred from having pluralities of livings, and from taking lands to farm. The evil of concentration of livings and lands in the clergy or priests was greatly on the increase; foreign priests, nominated by the Pope, enjoyed the fat

* 21 Henry VIII. c. 13. (1529).

of the land, while they held his dispensation to be absentees. They were engaged in trade, in farming, in tanning, in brewing, in doing anything but the duties which they were paid for doing ; while they purchased dispensations for non-residence at their benefices. In some cases, single priests held as many as eight or nine livings.

Henry completely swept away this abuse ; and the Act declared, that if any person should obtain from the Court of Rome, or elsewhere, any manner of license or dispensation to be non-resident at his cure or benefice, he should be fined. Here was a bold and prudent step in the proper direction of reform.

In the 23rd year of his reign an Act* was passed for the restraint of all appeals to the *Court of Rome*. The evils resulting from appeals in spiritual and temporal matters became intolerable. The enormous expense and delays, not to mention the indignity offered to our courts of law, the Parliament, and King, arising from this usurpation of power

* 23 Henry VIII. cap. 12.

by a foreign prince, affected all branches of society.

The Act declared : " From sundry old authentic histories and chronicles, it was manifestly declared and expressed, that this realm of England was an empire, and had been so accepted in the world ; governed by one supreme head and King, having the dignity and royal estate of the imperial crown of the same, unto whom a body politic, composed of all sorts and degrees of people, divided in terms, and by names of spirituality and temporality been bounden and owen to bear, next to God, a natural and humble obedience." And then, after pointing out the evils, delays, expenses, and annoyances resulting from this system of appeals to a foreign court, it was, by this Act, further provided that all causes determinable by spiritual or temporal jurisdiction, should be adjudged within the King's authority and jurisdiction *in the realm* ; and it was further enacted, that whosoever procured from the See of Rome any appeals, processes, sentences, &c., should incur the forfeiture of *præmunire*, established by the Act 16 Richard II. c. 5.

Impute what motive you will to Henry and his Parliament, there is no person, be he Englishman or foreigner, Protestant or Roman Catholic, who can deny the wisdom or the absolute necessity of this enactment.

By another Act, passed in the same year,* “for the submission of the clergy and restraint of appeals,” it was declared, that the clergy should not enact any constitutions or ordinances without the King’s assent; and all convocations should be assembled only by the King’s writ; and all appeals in spiritual matters should be according to the statute last mentioned.

By the next statute,† all fees theretofore payable to the Pope of Rome, on appointment of bishops, and for Bulls, palliums, &c., were cleanly swept away; and it was declared, that no man should be presented to the See of Rome for the dignity of an archbishop or bishop, nor annates or first-fruits should be paid to the same see. This Act was actually passed on a petition of a convocation of bishops and clergy. The abstraction of these

* 23 Henry VIII. c. 19.

† Ibid. c. 20.


fees robbed the clergy, and that was sufficient to rouse *their* opposition. It deprived them of a portion of their incomes, which was transferred to the Bishop of Rome. It is a fact worthy of remark, that the first active movement towards a separation from Rome *originated with the Romish clergy* themselves. Their petition to Parliament to remove this tax upon their incomes concluded :* “ May it please your Highness to ordain in this present Parliament, that the obedience of your Highness and of the people be withdrawn from the See of Rome.”

The next Act† was all-important. After stating that this country had been “greatly decayed and impoverished by intolerable exactions of great sums of money as had been claimed and taken, and continually claimed to be taken, out of this realm, by the Bishop of Rome and his see, in pensions, causes, Peter’s-pence, procurations, fruits, suits for provisions, and expedition of Bulls for archbishopricks and bishopricks, and for delegates and re-

* Strype’s “Eccles. Mem.” vol. i. part ii. p. 158.

† 23 Henry VIII. c. 21.

scripts in causes of contentions and appeals, jurisdictions legantine, and also for dispensations, and other infinite sorts of bulls, breeves, and instruments of sundry natures, names, and kinds, in great numbers, heretofore practised and obtained, *otherwise than by the laws and customs of the realm*; the specialities thereof being over long, large in number" (says this enactment), "and too tedious particularly to be inserted" in the Act. All these—and this simple recital from the Act of Parliament gives us some idea of the extent of the abuse then existing, and "set up by a person" (as the Act continues) "abusing and beguiling the King's subjects, pretending and persuading them that he hath power to dispense with all human laws and customs of all realms, to the great derogation of the imperial crown and authority"—all these were "with one fell swoop," swept away. And the statute declared that no impositions whatever should be paid to the Bishop of Rome. All abbeys were also relieved from payment of pensions to the See of Rome, nor were they allowed to accept any constitutions from thence, nor should make



an oath to the Bishop of Rome. Will any one venture to question the wisdom of this enactment?

But it must be most particularly noted, that this Act specially provides that "no article of the established religion of the Catholic faith of Christendom" was to be, in consequence, altered. This is important to be remembered; for one of the accusations is, that Henry changed the religion of the country; whereas the very contrary is the fact, and any such alleged change was most expressly guarded against.

Then followed the famous Act,* declaring what the preamble of the Act stated *had been already recognized by the clergy of the realm in their convocations*,—that the King was, and his heirs and successors should be, the head of the Church of England. The Church of England had been, as we have shown, from the commencement, from the planting of the Gospel in this country by the Apostles or their immediate successors, and for 800 years, independent of the See of Rome. A submis-

* 26 Henry VIII. c. 1. (1534.)

sion was first exacted by Pope Gregory I., which was resisted; but this refusal was closely followed, as predicted by the Pope's emissary, by a ruthless massacre of our bishops at Bangor. The independence of England of the ecclesiastical control of Rome was asserted by William the Conqueror, William II., Edward III., Richard II., and Henry IV. "The King," said the learned Bracton, Lord Chief Justice in the reign of Henry III., "is the vicar and minister of God in the land: every one is certainly under him, and he himself is under none, save only under the Lord."* This independence was lost or impaired by the weak and vacillating conduct of some of the intervening kings, and Henry VIII. now only revived a right of independence of himself and of the Church of England. This was in 1534. In the following year Pope Paul III., "filling his belly with the east wind,"† and applying both hands lustily to his "inflated wind-bag," fulminated his impotent Bull of Deposition against Henry VIII., as a retaliation for his rejection of the pontifical

* Lib. i. c. 8.

† Job, xv. 2.

authority. He excommunicated and deposed Henry, interdicted the nation, and absolved his subjects from their oath of allegiance. He transferred the kingdom to any successful invader, and prohibited all communication with the English monarch. He deprived the King of Christian burial, and consigned the sovereign and his friends, accomplices, and adherents, to anathemas, maledictions, and everlasting destruction; and excommunicated, anathematized, cursed, and condemned Henry to eternal damnation. He stigmatized his posterity with illegitimacy and incapacity of succession to the crown, while he delivered his partisans to slavery. The English clergy he commanded to leave the kingdom, and admonished the nobility to arm in rebellion against the King. He annulled every treaty between Henry and other princes. He enjoined the clergy to publish the excommunication by bell, book, and candle; and all who opposed his infallibility incurred the indignation of Almighty God, and the blessed Apostles Peter and Paul.* Henry at once passed an Act, as

* We give a translation in the Appendix of this extra-

he had a right to do, declaring all Papal Bulls published in this country void.

Let us pause a moment to consider this step. Of what crimes had Henry been guilty? He had followed the advice given him by the Pope himself, the predecessor of this anathematizer, and had saved "his Holiness" the disagreeable necessity of pronouncing for or against the divorce, by "taking the matter into his own hands." And even the latter had himself, when a cardinal, pleaded Henry's justification and taken credit for so doing. He had done away with pluralities of livings and foreign licenses permitting a non-resident clergy; he prohibited appeals to Rome in matters temporal and spiritual; he abrogated all fees paid to Rome on ecclesiastical appointments; he prevented the "drain of gold," that commercial "bugbear," passing from England to Rome in the shape of Peter's-pence, &c.; and, lastly, he re-asserted the dignity and authority of the King of England

ordinary document. The original is a literary curiosity in every sense of the word, as well for its Latinity as for its sentiments.

as supreme head of the Church in his own dominions; in fact, because he had the courage to brave the thunders of the Vatican, and to place himself above the prejudices and superstitions of his day, and sense enough to withdraw himself from Papal jurisdiction (being many years in advance of his age); therefore he was to be excommunicated and damned to all eternity.* Henry's Parliament had done no more than what every Roman Catholic country has since accomplished. Henry was the pioneer, simply because England was a more suffering victim to Papal tyranny and Papal rapacity than any other country of Europe. Whatever may have been the *motive* which put in action these important reforms, England has reason to be thankful that a

* It is a matter for curious speculation to consider whether Henry was excommunicated for passing these salutary acts, or because he divorced himself from Catherine and married Anne Boleyn without a Papal Bull. If for the former, then the Pope was actuated by the love of money and temporal power, though, as the so-called Vicar of Christ, his kingdom is supposed not to be of this world; if for the latter reason, as is asserted by more zealous adherents of the Papacy, then Paul III. acted contrary to his own expressed convictions as to the legality of Henry's acts.

Henry VIII. had risen, who had the will and determination to uphold the dignity of his rank as king of England, and the independence of his throne, and the courage to sweep from the face of the land the accumulated abuses which were eating its vitals, and to free England from a servile, galling, oppressive, and degrading clerical despotism. There are, nevertheless, those who still would attempt to justify the Pope and condemn Henry. We trust, for the credit of our common Christianity, that their name is not "legion."

To complete our chronology. The suspended Bull of Excommunication of 1535 had been published and put in force, for what it was worth, in 1538.* In 1539 an Act was passed for the dissolution of monasteries, nunneries, and abbeys,† those strongholds of the Papacy, and, with few exceptions, sinks of iniquity. It has been urged that the consequences of this Act deprived the poor of their best friends and supporters; but, when rightly considered, the

* See Appendix for the Bull of 1538, and order of execution of the Bull of 1535.

† 31 Henry VIII. c. 13.

concentration of such enormous wealth in the clergy created the poverty. Out of the spoils, Henry established several new bishoprics, retained a portion for the Crown, which he applied to meet public expenses; funds being urgently required to put the country in a state of defence, and divided the rest (*as is alleged*) among his courtiers.

It is one of the many popular fallacies which appear inseparably attached to Henry VIII., that he appropriated to himself all, or a greater part, of the spoils from the sales of the abbeys, monasteries, &c.; and it is almost hopeless to attempt to turn the current of the generally accepted opinion on this head. It is, nevertheless, the fact, that the lands were sold at greatly below their value: this was an inevitable consequence. But to each sale a condition was attached, that the purchaser "should maintain hospitality liberally, and on a scale to contrast favourably with the careless waste of their predecessors." The exchequer was empty. There was a civil war within, fostered principally by the ejected monks, and a well-founded fear of invasion from without, by a combination of Italy, France, Spain, and

Germany. More than the proceeds of these sales was expended in suppressing the civil war, and in erecting fortifications and defences on the coast. Dover Castle was built with a part of the proceeds of the sales, by Henry; without which timely aid this country would have been left entirely unprotected.*

But, however the proceeds may have been applied, none can deny either the wisdom of the Act itself, or that wholesome results followed. In this again, every European nation has followed the example of Henry. France long since did so; and even Catholic Spain has confiscated the chief portion, if not the whole, of ecclesiastical properties, and appropriated the proceeds to the Crown. Spain has gone even further than this; for she has passed a law declaring void every will

* See Froude's History, vol. iii. p. 255. London, 1858.—Cranmer gave a willing assent to the act of "spoliation," as it is called, but he dissented from the adopted mode of application of the fund. His recommendation was to erect colleges and seminaries throughout the country, and that sound learning and religious education should be fostered, to feed the parishes with a better class of priests than had hitherto existed.

which contains any devise of property for ecclesiastical purposes.

To come nearer home. No one will deny the loyalty of the Irish rebel leaders to the Pope of Rome, and their devotion to the Roman religion. They did not hesitate to share in the spoils at the expense of their religion. In 1541, at a full Irish Parliament, assembled at Dublin, held by St. Leger, and at which O'Neil, Desmond, O'Brien, O'Donnell, MacWilliam, and other Irish leaders of the revolt against England, were present, and took an active part, an Act was passed confiscating all the property belonging to the religious establishments of the country, and the leading Irish nobles, without the slightest compunction, divided the spoils among themselves, selling part at merely nominal prices. In order to secure to themselves their newly acquired property, and to enable them to acquire a recognized title, they waived all their former differences and animosities, acknowledged Henry's title as King of Ireland, and consented to submit themselves to the rule of their hereditary enemies, whom they had sworn

shortly before to exterminate.* Surely our Roman Catholic fellow-countrymen are unjust when they reserve their invectives for Henry VIII. and English nobles, and forget that the Irish Romanists were equally guilty, but without even the excuse, if such were required, which Henry could advance. So blind do sectarian prejudices make us.

We again ask, why should Roman Catholics of the present day blame Henry in this so-called act of spoliation? He was only carrying out the example set by the Pope himself, and followed, as we have already remarked, by every "Catholic" country in Europe. All the minor monasteries had been already suppressed, and their properties confiscated and appropriated under no less authority than a Papal Bull,† and by the Pope's license, given in 1527, eighteen years after Henry's accession to the throne.

Even previous to this, Cardinal Wolsey

* State Papers, vol. iii. pp. 295-6, 334, 399, 392, 463-5, 474; quoted by Froude.

† See Rymer's History, vol. vi. part ii. pp. 8-17, third edition, folio. Hagæ Comitibus, 1745.

obtained a Bull from Rome, dated 10th June, 1519, empowering him to visit all monasteries, and all the clergy of England. In the preamble of this document, we find severe reflections against the manners and ignorance of the clergy, who were said, in it, to be delivered over to a reprobate mind; and by another Bull of Pope Clement, dated 3rd April, 1524, Wolsey was further authorized to suppress several specified monasteries and (so-called) religious houses.*

These powers were again revived by the Pope in November, 1528, conferring on Wolsey and Gardiner, together, the permission to examine the state of the monasteries, and suppress such as they thought fit.

The extinction of the various orders of monks and friars, who were a scandal to the Church, and interfered with its discipline, by placing themselves beyond the authority of diocesan bishops, was hailed with approbation by the greater portion of the secular clergy; and surely they were the better judges of

* See Burnet's "History of the Reformation," p. i. b. i. p. 36, Nares's edit. London, 1830.

what was beneficial to the Church than our modern champions of the Papacy. And it is worthy of note, that Bishop Gardiner himself, whose attachment to the Papacy was most conspicuous, busied himself as much as any one in declaiming against (so-called) religious houses, and took occasion in many of his sermons to commend the King for suppressing them.*

If it were lawful for the Pope, of his free will, and under his assumed power, to sanction or take the lead in permitting the act of spoliation, it was lawful for Henry to follow up the good work, and complete the act of confiscation. It was only suppressing a greater and more crying evil. This was the last and crowning act of Henry's reign towards the great object—*reformation*.

To clinch the argument on this subject. Had it been put to the voice of the nation, whether the wealth and vices—both which were cumulative—should remain with the proprietors of the monasteries, or be wholly transferred to the

* See Burnet's "History of the Reformation," p. i. b. iii. vol. i. p. 403 (edit. 1830).

King personally, there is no question which way the popular vote would be. This wealth was robbed from the people (principally being death-bed bequests) by acting on their fears and superstitions: according to the views of some, Henry was nothing less than a robber; according to our views, the monks were, not only robbers, but something—a great deal—worse.

CONCLUSION.

“Heaven has a hand in all.”

Henry VIII. Act ii. Scene i.

“Methinks I could cry Amen !”

Henry VIII. Act v. Scene i.

WE have now drawn to a close our rapid “sketch” of the leading facts of this long and eventful reign, a reign pregnant with great events and glorious in the result. Henry laid the foundation of the Reformation which speedily followed. Whether the individual character of Henry can be vindicated or not from the aspersions so freely heaped upon him ; whether we have succeeded or not in removing part, or even any, of the stigma, which appears inseparably connected with his name, it matters little ; he will be judged by THE GREAT ARCHITECT OF THE UNIVERSE, who orders all things according to His will.

He has been judged from tradition,* not evidence. We too readily admit foregone conclusions, without taking the trouble of an examination. Acts done in years gone by are thus too often judged by a prejudiced disposition; while, had we witnessed them with the attendant circumstances, we might have been influenced in an opposite direction. Indeed, we have no right to suppose that we should have thought or acted otherwise than those who were the immediate counsellors of the principal character in the great drama. We ought rather to look to the result, which God, in His wise providence, has thought proper to bring about for our good, though it be by means of those very actions which have condemned Henry in the estimation of many. That result was the GLORIOUS REFORMATION, the emancipation of England from Papal

* It is a fact that the State Paper office was ransacked and plundered during the reign of Queen Mary, of unhappy memory, and many official documents destroyed. The history of this reign, therefore, has been principally a matter of tradition. Stray documents, however, are now and then coming to light which tend to dispel popular delusions.

bondage. Though we abhor the axiom that we may do evil that good may come of it, it is, nevertheless, a true Christian principle that good may, and very often does, come out of evil.

We have not desired to exculpate, excuse, or shield faults; but we have endeavoured conscientiously to trace with an impartial pen the various incidents of Henry's reign, so far as they affect, or are supposed to affect, the Reformation in England, and which are commonly dwelt upon in condemnation of Henry, whether justly or unjustly, we leave the impartial reader to decide. We desire now only to dwell for a moment on the fact, that these very incidents have brought about the result which has proved a blessing to this nation specially, and to mankind generally. We can trace the causes from their first beginnings. The nation was weighed down by the iron hand of priestly oppression, and a debasing superstition paralyzed all free thought and action. The great incubus "Papal infallibility," and, with it, "Papal supremacy," was, by slow degrees, removed. Clouds gradually dispersed, and a ray of light was

permitted to enter. Then, step by step, the citadel was approached.

“The time of reckoning at length had arrived. Slowly the hand had crawled along the dial-plate; slowly, as if the event would never come; and wrong was heaped on wrong; and oppression cried, and it seemed as if no ear had heard its voice, till the measure of the circle was at length fulfilled; the finger touched the hour, and as the stroke of the great hammer rang out above the nation, in an instant, the mighty fabric of iniquity was shivered into ruins.” *

“For now will I break his yoke from off thee, and will burst thy bonds asunder.”—*Nahum*, i. 13.

Under the wise providence of God, Henry was the pioneer, the chosen instrument, to break the galling yoke of the Papacy, under which this country had suffered and groaned for many years; and the path was thus made clear for the glorious Reformation which followed, and for which God be praised!

* Froude.

Let us, in humble thankfulness, bear on our banners to the fore-front of our advance, the watch-words—

STAND FAST IN THE LIBERTY WHEREWITH
CHRIST HATH MADE US FREE, AND BE NOT
ENTANGLED AGAIN WITH THE YOKE OF BON-
DAGE.*

* Galatians, v. 1.

APPENDIX.



APPENDIX.

SENTENCE OF POPE PAUL III. AGAINST HENRY VIII.*

“ His curses and his blessings
Touch me alike ; they are breath I not believe in.”
Henry VIII. Act ii. Scene ii.

*Condemnation and Excommunication of
Henry VIII., King of England, and his
Abettors and Accomplices, with the
addition of other punishments.*

PAUL, Bishop, servant of the servants of
God, in perpetual remembrance of the
matter.

1. We, although unworthy, the Vice-gerent
on earth of Him who, unchangeable and eter-
nal, governs all things by His providence in ad-
mirable order and with overruling goodness—

* This is, I believe, the only complete translation that
has been published of this famous Bull. It is as faithful a

and placed in the seat of justice—according also to the prediction of the Prophet Jeremiah in these words: “Behold, I have appointed thee over nations and kingdoms, that thou mayest pull up and destroy, build and plant; the chief overall the kings of the universe, and all peoples obtaining dominion” -- and imitating Him who is loving and merciful, and tempers the punishment prepared for him who incurs it, and does not chastise those whom He sees to be impenitent by severe vengeance until He first threatens them, but exerts the full force of His justice against those who continually sin and persevere in sinning, when they pass the bounds of the excess of mercy, in order that they may, at least through the fear of punishment, be compelled to return to a right mind—are strongly urged by the Apostolical anxiety which presses upon us, more diligently to attend to the healthy condition of all persons committed by Heaven to our care; and more vigorously to oppose the errors and scandals

rendering of the original (as given in the “Magnum Bullarium Romanum” (Cherubini), tom. i. pp. 704—708; Lugduni, 1655) as language can make it. The original Latin is a most involved, complex, wearisome, and unscholarlike composition. It is impossible that it could be worse. His “Infallibility’s” Latin was of the very lowest order.

which, through the craftiness of our old enemy, we see to be impending; and to restrain with becoming severity enormous and scandalous crimes; and, according to the example of the Apostle, by promptly punishing the disobedience of our flock, so to check the perpetrators thereof by merited correction, that they may repent of having provoked the anger of God, and therefrom others may learn a salutary caution.

We have lately been informed that Henry, King of England—although during the pontificate of our predecessor Pope Leo the Tenth, of blessed memory, he, impelled by zeal for the Catholic Faith, and by the fervour of his devotion towards the Apostolical See, did, with equal learning and piety, by a book by him thereon composed and presented to the same Leo, our predecessor, for his examination and approval, refute the errors of divers heretics often condemned by the Apostolic See and sacred councils in times past, and revived very recently in our age by that child of perdition MARTIN LUTHER—and on account of such service obtained from the same Leo, our predecessor, in addition to his approbation of the said book and great praise and commendation of King Henry himself, the title of Defender of

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the Faith,—wandering from the right faith and the Apostolical path, and regardless of his own safety, fame, and honour (after having put aside, without any lawful cause, and contrary to the prohibition of the Church, our dearest daughter in Christ, Catherine, Queen of England, a wife illustrious from her own descent, and with whom publicly in the face of the Church he had contracted marriage, and during several years had cohabited, and by whom, during the said marriage, he had several times had offspring), had contracted marriage, in fact, with one Anne Boleyn, an English woman, the said Catherine being still alive—and, proceeding to worse acts, did not blush to enact certain laws or general constitutions by which he compelled, even under the heavy penalty of death, his subjects to hold certain heretical and schismatical articles, amongst which was even this—“that the Roman Pontiff was not the head of the Church and the Vicar of Christ,” and “that he himself was in England the supreme head of the Church.”—And not content with these acts, he, being influenced by the Devil to commit sacrilege, seized and imprisoned several prelates and bishops and other ecclesiastical persons, both regular and secular, who were unwilling and boldly refused to side

with him, a heretic and schismatic, or to approve and follow the aforesaid Articles, as being contrary to the decrees of the holy Fathers and the statutes of the sacred councils, and also to Evangelical truth itself, as well as other similar condemned articles. In like manner, not content with these acts, by way of adding evil to evil, he with horrible cruelty and detestable tyranny publicly handed over to a miserable death, and beheaded John, Priest-Cardinal of Saint Vitalis, Bishop of Rochester, of blessed memory (whom on account of his firmness in the faith and holiness of life we had promoted to the dignity of the Cardinalate), because he would not consent to the said heresies and errors ; thereby damnably incurring the heaviest sentences, censures, and punishments of excommunication and anathema, and other punishments, contained in the Letters and Constitutions of Boniface the Eighth and Honorius the Third, of blessed memory, Roman Pontiffs, our predecessors, thereon published, and other penalties against such persons by law enacted ; and thereby rendering himself unworthy of the kingdom of England and the dominions which he held, and also of the exalted rank of royalty, and the prerogative and honour of the aforesaid title.

2. Although—from the fact that (as we knew) the same King Henry had remained unmoved by the distinct ecclesiastical censures, by which (after the kindest letters and paternal exhortations, and many messages and communications in the first instance, and lastly, judicial sentence) he had been in vain admonished to put away the aforesaid Anne, and to return to cohabitation with the aforesaid Catherine, his true wife; and imitating the hardness of Pharaoh, for a long time had been, and was, in contempt of the Keys—we saw that it was scarcely possible to hope that he would return to a proper state of mind: nevertheless—on account of the paternal charity with which we had treated him whilst he remained in the obedience and reverence of the aforesaid See, and in order that we might more clearly ascertain whether the report which had reached us (and which, in truth, from respect to King Henry himself, we wished should prove false) was true—we resolved, by abstaining for a time from ulterior proceedings against King Henry himself, more carefully to investigate the truth of this matter.

3. But, since, after due diligence in ascertaining the facts, we have found that the report which, as before mentioned, reached us,

is true; and at the same time (which we relate with grief) that the said King Henry has sunk so low in wickedness as to preclude all hope of his restoration—we, considering that, by the old law, the man convicted of the crime of adultery was punished with stoning, and the authors of schism were swept away by an exhalation, from the earth, and their followers consumed by fire from heaven; and Elimas the sorcerer, resisting the ways of the Lord, was condemned through the apostle, with eternal severity; and wishing (lest in the rigorous examination an account of the souls of King Henry himself and his subjects, whom we see he is drawing into perdition, be required from us) to provide, so far as it is granted to us from above, against King Henry and his accomplices, abettors, adherents, and followers, and persons in any manner whatever culpable in the premises—against whom, forasmuch as the aforesaid excesses and faults are so manifest and notorious that they cannot by any subterfuge be concealed, we might, without further delay, proceed to execution—nevertheless, adopting a kinder course, have resolved to proceed in manner underwritten.

4. Wherefore, after mature deliberation upon

these matters with our venerable brothers, the Cardinals, and with their advice and assent, we exhort by the bowels of the mercy of our God, the aforesaid King Henry and his accomplices, abettors, adherents, advisers, and followers, and also all other persons whomsoever, in any manner culpable in the premises, or in any of them, whether lay or clerical; also all regulars of whatsoever dignity, state, degree, order, condition, pre-eminence, and excellence they may be (whose names and surnames we will should be considered as sufficiently expressed, and to the said extent, as if introduced into these presents); and require in the Lord, that King Henry entirely abstain from the aforesaid errors, and revoke, declare void, and annul the aforesaid constitutions or laws, as in fact he made them—and that he entirely abstain from compelling his subjects to keep them; and also from the imprisonment, arrest, and punishment of those who have refused to adhere to or observe the self-same constitutions or laws; and release all prisoners by reason of the premises.

5. As to the abettors, adherents, advisers, and followers of the said King Henry in and respecting the premises—We exhort and re-

quire that henceforth they do not assist or adhere to or abet King Henry himself in these matters, nor afford him advice, assistance, or favour.

6. Otherwise, if King Henry and his abettors, adherents, advisers, and followers shall not effectually obey the exhortations and requisitions of this kind, we excommunicate King Henry, his abettors, adherents, advisers, and followers, and other the aforesaid guilty parties, by Apostolic authority, and of our certain knowledge, and by the plenitude of Apostolic power, by the tenor of these presents, in virtue of holy obedience and under the sentence of the greater excommunication—from which, even under pretext of any privilege whatever, or of any dispensation, even in the form of the confessional, with whatsoever most efficacious clauses by us and the aforesaid See in any manner whatever granted, and even repeated, (*iteratis vicibus innovatis*), persons cannot be absolved, except in the article of death—and then only so, that if any one happens to be absolved and afterwards to recover, unless after recovery he shall effectually obey our admonition and commands, he shall relapse into the same sentence of excommunication;

7. And also of rebellion—and as regards King Henry, also of deprivation of his kingdom and aforesaid dominions—and respecting him as well as respecting the other aforesaid admonished parties—we by these presents warn, by the penalties hereinbefore and hereinafter written (which we will that they and every of them respectively shall incur if they shall not obey the aforesaid monition and commands), and command them and every of them peremptorily, that King Henry by himself, or by his legal agent duly authorized, do within ninety days; and his accomplices, abettors, adherents, advisers, and followers, and other the aforesaid culpable parties, secular and also regular ecclesiastics, do within sixty days personally appear before us for the purpose of legally excusing and defending themselves in the premises; or otherwise for the purpose of seeing and hearing the acts, and also the definitive, declaratory, condemnatory, and deprivative sentence, and the order for execution thereof pronounced, even by name, against all and every those persons whom we thus admonish, so far as may be expedient as to all and every of them. But if King Henry and the other before-mentioned admonished persons shall not within the aforesaid times appointed to

them respectively as aforesaid, appear—and if (as we trust will not happen) for three days after the expiration of the aforesaid times they shall with hardened mind endure the aforesaid sentence of excommunication—we augment and successively re-augment the censures themselves; and pronounce that Henry himself has incurred the penalty of deprivation of his kingdom and aforesaid dominions; and that both he and also all and every other the aforesaid admonished parties have incurred all and every other the aforesaid penalties; and they and their effects are for ever to be severed from all the faithful servants of Christ. And if in the mean time he shall die, we by our aforesaid authority and plenary power do declare and decree that he be deprived of ecclesiastical sepulture; and we strike them with the sword of anathema, malediction, and eternal damnation.

8. Moreover, we subject to ecclesiastical interdict the properties which King Henry in any manner whatsoever, and by any title, holds, has, or possesses—as long as King Henry and other the aforesaid admonished parties, and every of them, shall remain in other properties not holden, had, or possessed through the said King Henry, and three days after their retire-

ment therefrom—and other properties whatsoever which, after the expiration of the aforesaid periods of time, shall happen to descend to King Henry and other the aforesaid admonished parties, whether they be dominions, cities, lands, castles, villages, towns, metropolitan and other cathedral churches, and other inferior churches; and also monasteries, priories, houses, convents, and religious and pious places, of whatsoever kind, even of the Benedictines, Clunians, Cistercians, Præmonstrants, Preachers, Minors, Carmelites of St. Augustin, and of other orders and congregations, and military orders whatsoever, being in these dominions, cities, lands, castles, villages, towns, and places; so that in them during the continuance of this interdict masses and other Divine offices be not performed, even under pretext of any Apostolical indulgence granted to churches, monasteries, priories, houses, convents, places, orders, or persons of whatsoever dignity, except in cases by law permitted; and even in those cases not otherwise than with closed doors, excommunicated and interdicted persons being excluded.

9. And let the sons of King Henry, and of his accomplices, abettors, adherents, advisers, followers, and the aforesaid offenders, partake

of the penalties as in this case is proper. And we decree and declare that all and every the sons of the same King Henry by the said Anne, and of all and every the other aforesaid parties, born and to be born, and their other descendants, down to that degree to which the laws of punishment in cases of this kind extend (no one excepted and no allowance being made for minority, or sex, or ignorance, or any other cause), be deprived of all dignities and honours which in any manner whatever they possess, use, or enjoy ; and also of all privileges, indulgences, immunities, remissions, and liberties, and all dominions, cities, castles, lands, villages, towns, and places, even held in commendam or put in trust, and which they have, hold, or possess in fee, or on lease, or otherwise, from Roman or other churches, monasteries, and ecclesiastical places, and from secular princes, lords, potentates (even though they be kings and emperors), or from other private or public persons ; and of all other goods, moveable and immoveable, rights and actions. And in like manner we decree and declare, that the said properties, freehold or leasehold, and other whatsoever, by them in any manner obtained, do respectively devolve upon the right owners, so that they may freely dispose of them ; and

that those persons who shall be ecclesiastics (even though they belong to religious orders), be deprived also of the metropolitan and cathedral churches, and moreover, of monasteries, priories, governorships and superiorities, dignities, parsonages, offices, canonries, prebends, and other ecclesiastical benefices, by them in what manner soever obtained; and that they be incapable for the future of holding those and the like possessions. And by the like authority and knowledge and plenary power, we declare that those parties so respectively deprived, are henceforth incapacitated from holding those and the like possessions whatsoever, and all dignities, honours, administrations and offices, rights and fees.

10. And we absolve and altogether set free from the aforesaid King or his accomplices, abettors, adherents, advisers, and followers aforesaid, and from the oath of allegiance, vassalage, and all obedience to the King and other the parties aforesaid, the magistrates, judges, constables, guardians, and officers of King Henry himself, and of his kingdom, and of all other his dominions, cities, lands, castles, villages, fortresses, citadels, towns, and places, even though in fact by him holden; and moreover, all communities, universities, col-

leges, feudatories, vassals, subjects, citizens, inhabitants, and also foreigners in fact obeying the said King, as well seculars as ecclesiastics, if any by reason of any temporality recognize King Henry as their superior. These, nevertheless, we command, under the penalty of excommunication, entirely and altogether to abstain from obeying the same King Henry and his officers, judges, and magistrates whomsoever, and not to acknowledge them as superiors or submit to their commands.

11. And in order that others, frightened by their example, may learn to abstain from excesses of this kind, We by the same authority, knowledge, and plenary power, do will and decree, that King Henry and his accomplices, abettors, adherents, advisers, followers, and other parties guilty in the premises (after they have respectively incurred the other before-mentioned penalties, as aforesaid), and moreover, their aforesaid descendants, be from that time infamous and not permitted to give evidence; that they be incapacitated from making or granting wills and codicils or other dispositions, even amongst the living; and that they be incapacitated from succession by will or intestacy; and also from any jurisdiction or power of judging, or from the office of notary,

and from all other legal acts whatsoever; so that their processes or instruments and other acts whatsoever, be of no force or validity; and that no persons be held responsible to them in law, but that they be held responsible to others upon every debt and matter, both civil and criminal.

12. And nevertheless, under the penalty of excommunication, and other the after-written penalties, We warn all the faithful in Christ to shun, and so far as possible, to cause others to shun, the aforesaid excommunicated, re-excommunicated, interdicted, deprived, accursed, and condemned persons; and not to have any commerce, conversation, or communion with the same persons, or with the citizens, inhabitants, either sojourners or subjects, and vassals of the aforesaid King, cities, dominions, lands, castles, counties, villages, fortresses, towns, and places aforesaid; by buying, selling, exchanging, or transacting any kind of merchandise or business; or to convey or contract for, or cause to be conveyed or contracted for, wine, corn, salt, or other victuals, arms, clothes, wares, or other merchandise, or any goods by sea in their ships, galleys, or other vessels, or by land with mules and other animals; or to receive goods brought by them publicly or

privately; or to presume in any manner to give to persons doing such things, aid, counsel, or favour, publicly or privately, directly or indirectly, under any pretence, by themselves, or by any other person or persons; but if they do so, let them in like manner by the very act incur in addition to the penalty of excommunication the loss of their wares, victuals, and all conveyed goods, which shall become the property of the captors.

13. But because it does not appear consistent that those who are employed in divine offices should consort with these men who despise the Church, especially whilst from their obstinacy there seems no hope of amendment,—which they cannot do with safety—We command the prelates, abbots, priors, preceptors, superiors, ministers, keepers, guardians, convents, monks, and canons, of all and singular the metropolitan and other cathedral and other inferior churches and monasteries, houses, and places of the religious and pious of all denominations; also of St. Augustin, St. Benedict, the Clunians, Cistercians, Præmonstrants, and Preachers, Minors, Carmelites, and other orders whatsoever, and military orders, even of the Hospital of Jerusalem,

and also the rectors of parochial churches, and all other ecclesiastical persons whatsoever, abiding in the kingdom and dominions aforesaid, under the penalties of excommunication and deprivation of the management and government of monasteries, dignities, parsonages, administrations, and offices, and of canonries, prebends, parochial churches, and other ecclesiastical benefices whatsoever, in what manner soever qualified, and by them obtained—That, within five days after the expiration of all and singular the periods aforesaid, they quit and depart from the kingdom and dominions themselves — leaving, however, some priests in the churches, the cure of which they have, for administering baptism to little children, and to those dying in penitence, and the other sacraments of the Church, which in the time of interdict are permitted to be administered. And that they do not return to the kingdom and dominions aforesaid, until the parties admonished, and the excommunicated, aggravated, * re-aggravated, deprived, accursed, and condemned,

* *Aggravation* and *re-aggravation* are forms of excommunication.

shall obey the aforesaid monitions, and our commands of this nature, and deserve to obtain the benefit of absolution from censures of this kind, or until the interdict upon the kingdom and dominions aforesaid shall be removed.

14. Besides—if (notwithstanding the premises) King Henry, his accomplices, abettors, adherents, advisers, and followers aforesaid, shall persevere in their obstinacy, and the stings of conscience shall not restore them to a right state of mind, trusting, perhaps, in their power and arms—We require and warn all and every dukes, marquises, earls, and others whomsoever, both secular and ecclesiastic, even foreigners (*etiam forenses*) *de facto*, obeying the said King Henry, under pain of the same excommunication and loss of their goods (which, as aforesaid, shall become the property of the captors), that, laying aside every delay and excuse, they do expel those persons and every of them and their soldiers and stipendiaries, both horsemen and footmen, and others whomsoever, who shall support them with arms, from the kingdom and dominions aforesaid, even by force of arms, if necessary; and that they take care that King Henry and his accomplices, abettors,

adherents, advisers, and followers aforesaid, who obey not our commands, do not introduce themselves into the cities, lands, castles, villages, towns, fortresses, and other places of the kingdom and dominion aforesaid—forbidding them, under all and every the penalties aforesaid, from taking, holding, or using, in support of Henry and his accomplices, abettors, adherents, advisers, and followers, and other the aforesaid admonished persons who disobey our commands, arms of any kind, offensive or defensive, machines or engines of war (called artillery)—or from providing any armed men beyond their usual family retinue, or from harbouring or receiving men equipped by King Henry, his accomplices, abettors, adherents, advisers, and followers, or others, in support of the King himself, in any manner whatever, on any occasion or for any cause, by themselves or by any other person or persons, publicly or privately, directly or indirectly—or from affording or causing to be afforded to the said King Henry, or his accomplices, abettors, adherents, advisers, and followers aforesaid, advice or assistance in any manner whatever, for any reason or under any pretence, publicly or privately, directly or indirectly, silently or in words, by themselves or by any

other or others in the premises, or in any of the premises.

15. Moreover, for the purpose of bringing the said King Henry to his senses and obedience to the aforesaid See, we exhort all and singular Christian princes, even those of imperial and regal dignity, by the bowels of mercy of our God (whose cause is at stake), and require them in the Lord; and we command, under the penalty of excommunication, those who are inferior in rank to emperors and kings (whom, on account of their excellent dignity, we except from censure), that they do not in any manner whatever afford counsel, assistance, or favour to King Henry, his accomplices, abettors, adherents, advisers, and followers, or to any of them, by themselves or by any other person or persons, publicly or privately, directly or indirectly, silently or in words, even under pretext of confederations or obligations; even though confirmed and frequently reconfirmed by any kind of oath or other guarantee—from all which obligations and oaths we, by these presents, do, by the same authority, knowledge, and plenary power, absolve them and every of them—and do decree and declare the confederations and obligations themselves, both made and hereafter to be made, to be of

no force or authority, and to be null, void, broken, and ineffectual. And under the same penalty we prohibit such confederations and obligations (so far as therefrom King Henry and his accomplices, abettors, adherents, advisers, and followers aforesaid can in the premises, or any of them, derive benefit, directly or indirectly) to be made. And moreover, if any persons, in any manner whatever, assist them, or any of them, We command that they entirely and effectually withdraw themselves from those persons. And if they do not so do after these presents have been published and required to be executed, and the said periods of time have expired, We place under the like ecclesiastical interdict all and singular cities, lands, towns, castles, villages, and other places subject to them; and we will that such interdict shall continue until the princes themselves have desisted from affording counsel, assistance, or countenance to King Henry and his accomplices, abettors, adherents, advisers, and followers aforesaid.

16. Moreover We in like manner exhort and require the aforesaid princes, and all others even serving in the pay of the faithful in Christ, and other persons whomsoever,

both by land and sea, who have men under arms—and in virtue of holy obedience We command them, that they rise in arms against King Henry, his accomplices, abettors, adherents, advisers, and followers aforesaid, whilst they remain in the aforesaid errors, and in rebellion against the aforesaid See—and that they persecute them and every of them, and force and compel them to return to the unity of the Church and obedience of the aforesaid See — and not only those persons, but also their subjects and vassals, and the natives and inhabitants of their cities, lands, castles, towns, villages, and places, and all and singular other persons who do not obey our aforesaid commands, and who acknowledge in any manner whatever the aforesaid King Henry (after he has incurred the censures and penalties aforesaid) as their lord, even *de facto*, or presume in any manner to obey him—or who will not expel him and his accomplices, abettors, adherents, advisers, followers, and other disobedient parties aforesaid, from the kingdom and dominions aforesaid, wherever they find them—and capture their goods, moveable and immoveable, merchandise,

moneys, ships, credits, effects, and animals, wheresoever being, even beyond the territory of the aforesaid King Henry.

17. For We, by the same authority, knowledge, and plenary power, grant to them the full license, power, and authority of converting to their own use the goods, merchandise, ships, effects, and animals aforesaid so taken, and decree that all those things do plenarily appertain and belong to the same captors; and that all natives of the kingdom and dominions aforesaid, or persons domiciled, or in any manner dwelling within them, and not obeying our aforesaid commands (wheresoever they may happen to be taken), shall become the slaves of the captors. And as to this, We extend these present letters to all other persons, of whatsoever dignity, rank, position, order, or condition, who shall presume to supply to King Henry himself, or his accomplices, abettors, adherents, advisers, and followers, victuals, arms, or moneys, or to hold intercourse with them, or afford them assistance, advice, or favour, by themselves or by any other person or persons, publicly or privately, directly or indirectly, in any manner, contrary to the tenor of these presents.

18. And in order that these presents may be better known to those whom they concern, We, by these same presents, do order and command all and singular patriarchs, archbishops, bishops, and prelates of patriarchal, metropolitan, and other cathedral and collegiate churches, chapters, and other ecclesiastical persons, seculars and regulars, of whatsoever orders, and also all and singular professors, even of mendicant orders, exempt and not exempt, wheresoever settled,—under the penalty of incurring, *ipso facto*, excommunication and deprivation of their churches, monasteries, and other ecclesiastical benefices, also of their degrees and offices, and benefit of privileges and indulgences, even in any manner emanating from the aforesaid See—that they and every of them (if and after they have been required by force of these presents) do, within three days immediately following, publicly declare the aforesaid King Henry and all and singular others who have incurred the aforesaid censures and penalties—in their churches, on Sundays and other festivals, whilst the greater part of the congregation has therein assembled for divine service, with the banner of the Cross, bells rung, and candles lighted and afterwards extinguished

and thrown down upon the ground and trampled upon, and with the other ceremonies in like cases observed—to be excommunicated, and that they do cause and command them to be so declared by others, and to be strictly shunned by all. And moreover, that under the aforesaid censures and penalties, they do cause these present letters, or their transcript, made in the underwritten form—within the space of three days after (as is aforesaid) they have been required—to be published and fixed up in their churches, monasteries, convents, and other places.

19. And We will that all and every persons, of whatsoever position, rank, condition, pre-eminence, dignity, or excellence they may be, who by themselves or by any other person or persons, publicly or privately, directly or indirectly, shall prevent the present letters or their transcripts, copies, or exemplifications from being read, fixed up, and published in their cities, lands, castles, towns, villages, and places, shall incur, *ipso facto*, the same censures and penalties.

20. And in order that King Henry and his accomplices, abettors, adherents, advisers, and followers, and others whom the premises con-

cern, may not be able to pretend ignorance of these same presents and their contents—We do command, that these letters themselves (in which by the like authority, knowledge, and plenary power, on account of the notoriety of the fact, we supply all and singular defects, both of law and of fact, also of solemnities and of processes, and citations omitted, even if there be such respecting which there ought to be special and express mention made) shall be affixed to and published upon the doors of the Church of the Prince of the Apostles and of the Apostolical Chancery in the city, (*de urbe et in partibus*), and in the provinces, to and upon the doors of the collegiate church of the Blessed Mary of Bruges and Tournay, and the parochial church of Dunkirk, towns in the Morinensian diocese; and we decree that the publication of the same letters so made shall be binding upon King Henry and his accomplices, abettors, adherents, advisers, and followers, and all and singular the other persons whom the letters themselves in any manner whatever concern, to the same extent as if the letters themselves had been read and shown to them, since it is not credible that those things which are so openly done can remain unknown to them.

21. But since it would be difficult for the present letters to be brought to every place to which it would be necessary—We do will and by the aforesaid authority decree, that the same credit be everywhere given to their transcripts (made by the hand of a public notary or printed in the holy city and sanctioned by the seal of some appointed person of ecclesiastical dignity), as would be given to the original letters, if they were exhibited and shown.

22. Let, therefore, no man infringe, or by rash daring, contravert this book of our monition, aggravation,* re-aggravation, declaration, percussion, supposition, disqualification, absolution, liberation, requisition, inhibition, exportation, exception, prohibition, concession, extension of suppletion, commands, will, and decrees; and if any one shall presume to attempt this, let him know that he will incur the anger of Almighty God and of the blessed Peter and Paul, his Apostles.

Given at Rome, at St. Mark, in the year of the Incarnation of our Lord 1535, the third day before the calends of September, the first year of our Pontificate.

* These are ecclesiastical terms, relating to various kinds of punishment, not capable of satisfactory translation.

*BULL, or Order for Execution of the
preceding Bull of Pope Paul against
King Henry VIII.**

PAUL, Bishop, servant of the servants of God,
in perpetual memory of the matter.

Seeing that our Redeemer willed that Peter, who had denied him, should preside over the Universal Church, in order that he might from his own fault learn that he ought to pity others, it is not unreasonable that the Roman Pontiff, who is in dignity the successor of Peter himself, should also be his successor in the office of exercising mercy. But when mercy is exercised towards a man, who thereupon becomes more insolent and more obstinate, and draws others with him to perdition, it is the duty of the Roman Pontiff, laying aside mercy towards him, to employ all severity, in order that the diseased member may be so separated from the body that the remaining members may remain safe, without fear of contagion; especially when, after the employ-

* The publication of the preceding Bull had been suspended.

ment of various remedies and the consumption of much time, experience itself proves that the disease daily increases more and more.

1. On a former occasion, when it was reported to us that Henry, King of England, over and above those offences which concerned his marriage *de facto*, rashly contracted against the prohibition of the Church, had published certain laws or general constitutions, drawing away his subjects to heresy and schism, and had caused John, of blessed memory, by the title of St. Vitalis, Priest-Cardinal of Rochester, to be publicly condemned and capitally punished; and several other prelates, and also other ecclesiastical persons, who refused to adopt this kind of heresy and schism, to be consigned to prison—We (although those parties who reported to us such matters were such that no doubt could be entertained respecting the truth of their statements) wishing, nevertheless, from respect towards King Henry himself (for whom, before he fell into such acts of madness, we entertained peculiar affection), that these reports should be found false, obtained further information respecting them, and finding that the report brought to us was true, in order that we might not fail in our duty, determined to proceed against him

according to the form of certain of our letters, the purport of which was as follows—

[Here follows the original Bull, set out in full.]

2. But when afterwards We had resolved that we ought to proceed to execution of the said letters, several princes and other illustrious persons persuaded us to abstain for some time from execution, under the expectation that meanwhile King Henry himself would return to a right mind and repent; and we, who, according to the feelings of human nature, easily believed what we desired, suspended the said execution, hoping (as hope had been given to us) that from the suspension there would follow amendment and repentance, and not perseverance and obstinacy and a greater amount of madness.

3. Seeing, therefore, that repentance and amendment (which for nearly three years we expected) not only did not afterwards follow, but that King Henry himself daily more and more hardened himself in cruelty and rashness, and even broke out into new crimes, inasmuch as, not content with the cruel butchery of living prelates and priests, he did not fear to

exercise his ferocity even towards the dead, and those also whom the Universal Church for many centuries had worshipped as saints; for he ordered the remains of Saint Thomas, Archbishop of Canterbury (whose bones were in the said kingdom of England, especially on account of the innumerable miracles there worked by Almighty God, preserved with the greatest veneration in a golden chest, in the city of Canterbury), after, in greater contempt of religion, he had caused Saint Thomas himself to be summoned to trial, and to be condemned as contumacious and declared a traitor — to be exhumed and burned, and his ashes scattered to the wind—surpassing the cruelty of all nations, since not even in war do victorious enemies commit cruelty upon the bodies of the dead.* In addition to all

* This is a startling proposition to be advanced by a Bishop of the Roman Church. Had he forgotten the order that was issued by the Council of Constance, A.D. 1415, that Wiclif's "body and bones, if they might be discerned and known from the bodies of other faithful, should be taken from the ground and thrown far away from the burial of any church, *according to the canon laws and decrees*" ? (See Fuller's "Church History," p. 170, folio edition.) This order was given thirty years after Wiclif's death. In accordance with this decree, though not till thirteen years after it was pronounced, the remains of Wiclif (of course, such of them

these acts, he took to his own use the gifts presented by the liberality of various kings,

as could be discerned) were disinterred and burned, and the ashes cast into the adjoining brook, called the Swift (Le Bas, "Life of Wiclif," London, 1832, p. 317); but how vain are man's imaginings! "The brook," adds Fuller, "did convey his ashes into Avon, Avon into Severn, Severn into the narrow seas; they into the ocean. And thus the ashes of Wiclif are the emblem of his doctrine, which now is dispersed all the world over."

But this happened in England, where it might be pleaded that "infallibility" in such heretical atmosphere became impaired. But had "his Holiness" looked at home, he would have found a parallel incident in the history of one of his own predecessors, of "happy memory." Pope Stephen succeeded Pope Formosus A.D. 896: For reasons unnecessary to be here entered upon, he exhibited an unexampled fury against the memory and remains of his predecessor. Solon, a heathen legislator, enacted a law to forbid the Athenians to speak ill of the dead. But the vicar-general of God outraged, in this respect, the laws of earth and heaven. Stephen unearthed the mouldering body of Formosus, which, robed in pontifical ornaments, he placed before a Roman council that he had assembled. He then asked the lifeless pontiff why, being Bishop of Porto, he had, contrary to the canons, usurped the Roman see. The body probably made no unnecessary reply. The pontiff then stripped the bloated corpse, and amputated its head and fingers. The disinterred and mutilated carcass, despoiled of its dress and mangled in a shocking manner, he threw, without any funeral honours or solemnity, into the Tiber. He rescinded

even English kings, and other princes, and appended to the chest itself, which were many in number, and of very great value. And not thinking that thereby he had inflicted sufficient injury upon religion, he robbed the monastery in the said city, dedicated to Saint Augustin (from whom the English had received the Christian faith *) of all its treasures, which were many and great; † and as he had transformed himself into a beast, so also he chose to honour beasts as his companions, namely, by introducing wild animals into the said monastery, after expelling the monks—a kind of cruelty unheard of, and abominated not only by Christians, but even by Turks.

4. Wherefore, seeing that this disease

his acts, and declared his ordinations irregular and invalid. Such was the atrocity perpetrated by the viceroy of Heaven, and approved and sanctioned by a holy Roman council. We presume we may apply to Paul III. the title "*of unhappy memory*," otherwise he would not have been so ready to stigmatize the act complained of in so sweeping a manner.

* The reader will not have forgotten what has been said above on this subject.

† Here the truth comes out. England was the "*puteus inexhaustus*," inexhaustible well, referred to by Matthew Paris, into which the Pope used to let down his bucket, until the rope was rudely cut by Henry!

cannot be cured by any physician, however skilful, by any treatment other than amputation of the diseased member, nor would that kind of treatment avail were it not that our cause is the cause of God,* we have fully resolved no longer to delay proceeding to the publication, and afterwards, under God's guidance, to the execution of the said letters; which we have postponed until this time, in order that King Henry and his accomplices, abettors, adherents, advisers, and followers, might be able to clear themselves, even respecting the excesses by him most recently perpetrated, within the periods of time to them for other matters limited by our aforesaid letters, or otherwise incur the penalties mentioned in such letters. And seeing that we have heard from credible persons, that if the publication of the original and of these present letters were made at Dieppe, in the diocese of Rouen, or Boulogne, in the diocese of Amiens, towns in the kingdom of France, or in the city of St. Andrew, or in the town of—(*oppido Callistren.*), in the diocese of St. Andrew, in the

* "*Absque eo quod nos apud Deum causam hanc nostram efficiamus.*"

kingdom of Scotland, or at Tuam or Ferns, cities or dioceses in the dominion of Ireland, the tenor of the letters would come to the knowledge of Henry and the others whom they concern (especially the English), not only as easily as if the publication were made in the places named in the said letters, but more easily, We, being willing to make due provision in this respect, do, by the aforesaid motion, knowledge, and plenary power, decree, that the publication of the letters above cited (to which citation and to the originals themselves, as to the validity of publication or execution of these presents, we will that credit be given), in two of the places mentioned in the present letters—in other respects made according to the tenor of the above-cited and of these present letters—even if this kind of publication is not made in places beyond the Court of Rome mentioned in the said recited letters—shall be binding upon King Henry and the other parties concerned, especially the English, to the same extent as if the letters had been made known to King Henry, and other the aforesaid parties, especially the English, personally.

5. And that the same credit be given to transcripts of these presents made in the

manner expressed in the before-cited letters, both in and out of courts of justice, as would be given to the originals if they were exhibited or shown;

6. The Apostolic Constitutions and ordinances, and all other matters whatsoever, to the contrary thereof notwithstanding.

7. Let no man, therefore, infringe, or by rash attempt contravene, this book of our decree and will. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God and the blessed Peter and Paul, his Apostles.

Given at Rome, at St. Peter's, in the year
of the Incarnation of Our Lord 1538,
the 16th day before the Kalends of
January, the 5th year of our Pontificate.



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